

Licensing and Regulatory Sub- Committee



Forest Heath
District Council

Title:	Agenda
Date:	Wednesday 14 March 2018
Time:	<u>1.30pm</u> – Briefing for Members of the Sub-Committee in the Members’ Room <u>2.00pm</u> – Hearing Commences in the Council Chamber
Venue:	Council Chamber District Offices College Heath Road Mildenhall
Full Members (3):	John Bloodworth Brian Harvey Nigel Roman
The membership of this Sub-Committee is drawn from Members of the full Licensing and Regulatory Committee 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

LICENSING ACT 2003 – HEARING PROCEDURE

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 any 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.
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Agenda

Procedural Matters

Part 1 – Public

Page No

1. **Apologies for Absence**
2. **Substitutes**
3. **Election of Chairman**
4. **Application for the Grant of a Premises Licence in respect of Regent Place, 122 High Street, Newmarket** **1 - 50**
Report No: **LSC/FH/18/003**

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Licensing and Regulatory Sub-Committee



Forest Heath
District Council

Title of Report:	Application for the Grant of a Premises Licence in respect of Regent Place, 122 High Street, Newmarket
Report No:	LSC/FH/18/003
Report to and date/s:	Licensing and Regulatory Sub-Committee – 14 March 2018
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 719364 Email: sheila.gowans@westsuffolk.gov.uk
Purpose of report:	To determine an application for the grant of a Premises Licence under the Licensing Act 2003. There have been a number of representations, and the Sub-Committee are, therefore, required to determine the application.

Recommendation:	<p>It is recommended that, having regard to the four Licensing Objectives; Statement of Licensing Policy; the representation(s) and 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:</p> <p>(1) Approve the application; or (2) Modify the conditions of the licence and approve the application; or (3) Reject the application.</p>		
Key Decision:	<p><i>Is this a Key Decision and, if so, under which definition?</i> No, it is not a Key Decision - <input checked="" type="checkbox"/></p>		
Consultation:	See number 4 below		
Alternative option(s):	N/A – the Council is duty bound to determine the application		
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any staffing implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> See number 5 below	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after 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 its 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:	St Marys directly and possibly neighbouring Wards
Background papers:	<p>Licensing Act 2003 S.182 Guidance https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003</p> <p>Forest Heath Statement of Licensing Policy http://www.forestheath.gov.uk/info/20063/licences_and_street_trading/22/statement_of_licensing_policy</p>
Documents attached:	<p>Appendix 1 – Application Appendix 2 – Map of the immediate area Appendix 3 - Representation PH Appendix 4 – Representation Police Appendix 5 – Representation LA Appendix 6 – Representation Harlow Appendix 7 – Representation Johnstone Appendix 8 – Representation Thompson Appendix 9 – Representation NTC Appendix 10 – Amended operating schedule</p>

1. Key issues

1.1 An application has been received for the grant of a Premises Licence for Regent Place, 122 High Street, 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 restaurant and bar.

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

The opening hours originally requested were Monday to Sunday 09.00 to 01.30.

After consultation with the responsible authorities these have now been changed to:

Mon to Thurs 09.00 to 24.30

Fri & Sat 09.00 to 01.30

Sunday 09.00 to 23.30

Live music, as a licensable activity, has been removed but can be played between 09.00 to 23.00 as it is now deregulated.

Extra hours, up to 02.00, are requested for up to 35 occasions per calendar year for pre-booked events with up to 50 people.

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 1 February 2018.

2.2 **Responsible Authority** There are three representations from Public Health and Housing, the Police and the Licensing Authority. These can be seen at **Appendix 3, 4 and 5**.

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 four representations from other persons, which are attached as **Appendix 6 to 9**.

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 within the Cumulative Impact area of Newmarket which members should have regard to when making their decision.
- 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.
- 4.2 During the application period discussions have taken place between the applicant and the responsible authorities. This has resulted in a change to the opening times as detailed at 1.2 and some amendments to the operating schedule which can be seen at **Appendix 10**.

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 The current statement of licensing policy, includes a cumulative impact policy at section 9. The premises is sited within the area covered by the Cumulative Impact Policy adopted for Newmarket and therefore, this is a relevant matter for consideration in respect of this particular application and full consideration of the statement of licensing policy.
- 5.4 The Cumulative impact policy was based on evidence received from Suffolk Constabulary and sought, as indicated in the statement of licensing policy to "*prevent a further increase in the number of licensed premises within the area...*". This application as a new premises would be an increase in that number.
- 5.5 The policy states that "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".
- 5.6 A cumulative impact policy should never be absolute. Where an application is referred to a hearing, the circumstances of each application must be considered properly. As stated in the Council's Statement of Licensing Policy, the impact can be expected to be different for premises with different styles and characteristics.
- 5.7 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.
- 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.

£315.00 paid
24/1/18



Forest Heath
Application for a premises licence
Licensing Act 2003

For help contact
licensing@westsuffolk.gov.uk
Telephone: 01284 758050

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

Regent Place

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

Jack William

* Family name

Shorney

* E-mail

j;

Main telephone number

1

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

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

Registration number

10769839

Business name

Regent Place Group Ltd

If the applicant's business is registered, use its registered name.

VAT number

- 284969142

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? Yes No

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An Individual or Individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Regent Place Group Ltd

Details

Registered number (where applicable)

10769839

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

private limited company

Address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country

Contact Details

E-mail
Telephone number
Other telephone number
* Date of birth / /
dd mm yyyy
* Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy
If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

- Regent Place will occupy the ground floor of 122 High Street, Newmarket and operate as an upmarket restaurant and bar.
- The sale of alcohol for consumption on the premises will be primarily to complement the provision of food.
- The application is for the sale of alcohol for consumption ON the premises, but also allowing off sales to enable customers to remove unfinished alcoholic products from the premises in sealed containers and to enable outside catering services.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

- Indoors Outdoors Both

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

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

State any seasonal variations for the performance of live music

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

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

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

2300 – 0200 hrs

On occasions of bona-fide pre-booked functions and events that are appropriately recorded in a diary and available for inspection by the responsible authorities. There will be a limit of 35 such occasions each calendar year

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

Continued from previous page...

State any seasonal variations for playing recorded music

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

2300 – 0200 hrs

On occasions of bona-fide pre-booked functions and events that are appropriately recorded in a diary and available for inspection by the responsible authorities. There will be a limit of 35 such occasions each calendar year

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

Section 13 of 21

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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.

Continued from previous page...

WEDNESDAY

Start 23:00

End 01:00

Start

End

THURSDAY

Start 23:00

End 01:00

Start

End

FRIDAY

Start 23:00

End 01:00

Start

End

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 01:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

Continued from previous page...

2300 – 0200 hrs

On occasions of bona-fide pre-booked functions and events that are appropriately recorded in a diary and available for inspection by the responsible authorities. There will be a limit of 35 such occasions each calendar year

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises

Off the premises

Both

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

Continued from previous page...

State any seasonal variations

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

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

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

0900 – 0200 hrs

On occasions of bona-fide pre-booked functions and events that are appropriately recorded in a diary and available for inspection by the responsible authorities. There will be a limit of 35 such occasions each calendar year

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

Continued from previous page...

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

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

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 etc gambling machines etc.

none

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

0900 – 0230 hrs

On occasions of bona-fide pre-booked functions and events that are appropriately recorded in a diary and available for inspection by the responsible authorities. There will be a limit of 35 such occasions each calendar year.

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

The licence holder, DPS, management and staff are mindful of the Cumulative Impact concerns of this part of Newmarket and will endeavour to create a business that offers no additional risk to the area and will act as a model of best practice and social responsibility to other premises that have caused or contributed to the council's restrictions. They will work in partnership with the authorities and local people alike in this respect. The staff will be fully authorised, equipped, trained and motivated in the task of promoting the licensing objectives. There will be:

- A written notice of 'authority' record for all staff who sell alcohol
- Adequate training for staff and records kept for inspection
- Contact details of the Designated Premises Supervisor available to staff and to the authorities
- Substantial food will be available to customers throughout the hours that alcohol is sold
- Alcohol will be sold primarily to complement the provision of food
- Seating will be available for all customers, except in front of the bar area shown on the plan

b) The prevention of crime and disorder

The management and staff will take all necessary steps to ensure that the premises remain free from crime and disorder and neither cause or contribute to crime & disorder in the area. This will include:

- Staffing levels maintained appropriately to ensure adequate security.
- High value items stored securely

Continued from previous page...

- A policy of zero-tolerance to drugs and weapons at the premises
- A CCTV system shall be designed and installed in accordance with the recommendations of Suffolk Police and the Licensing Authority.
- This system shall be in operation at all times when licensable activities are taking place.
- CCTV Recordings will be available for a minimum period of 28 days and handed to the police or duly authorised officers of the council upon request
- The CCTV system shall be secure and under the control of the premises licence holder or other named individual.
- The appointment and use of SIA trained door-staff at a time, level and number appropriate to the level of risk identified by the management of the business in consultation with the police and other authorities
- Staff being trained on all security issues including how to identify and refuse service to customers that are drunk or appear to be drunk.
- Alcohol will not be allowed to leave the premises in open bottles or containers.

c) Public safety

The management and staff will have an effective policy to maintain a safe venue for customers and staff. Any risk to safety will be assessed before the premises are opened to the public each day and throughout the hours of operation. The DPS will liaise with the authorities to ensure that all aspects of public safety are adhered to. The policy will include:

- Ensuring that the entrance and any walkways within the premises are kept free from obstruction
- Appropriate fire fighting equipment being installed and maintained at the premises and staff trained in its use.
- Fire risk assessments being undertaken and acted upon in accordance with current recommendations and requirements.
- Effective lighting maintained and operated to ensure the safety of the public and staff

d) The prevention of public nuisance

The Licence holder, DPS and staff are mindful of the need to reduce the impact of any nuisance caused by the operation of the premises, will constantly assess the risk of public nuisance and take immediate steps to eliminate the problem. Conditions include:

- No light on or from the property shall be provided where that light causes a nuisance to nearby residents or businesses
- The premises and public areas nearby are kept free from litter associated with the operation of the business
- Satisfactory arrangements will be put in place to supervise an orderly dispersal of customers when leaving the property to ensure the minimum of noise and disturbance to local residents and businesses.
- Notices will be appropriately displayed, in a place where they can be easily read, asking customers to leave the premises and the area quietly and to dispose of waste responsibly
- Deliveries to and waste removal from the site are undertaken at a time and in a manner that does not cause disturbance
- Live or recorded music from regulated entertainment shall not be audible at the nearest noise sensitive property, so as to cause a disturbance to local residents or businesses
- The premises licence holder or his/her representative shall conduct regular assessments of the noise coming from the premises on each occasion they are used for regulated entertainment. Appropriate steps shall be taken to reduce the level of noise where it is found to be heard at the facade of the nearest residential property.
- Any complaints received about noise shall be logged and any appropriate remedial action taken as a matter of urgency.

e) The protection of children from harm

The premises will be promoted as family friendly and suitable for all ages. There will be no inappropriate entertainment, promotions, activities or behaviour tolerated at the premises that might put children at risk. There will be an effective age verification policy in accordance with the mandatory code. This policy will be one of Challenge 25 for age-restricted products and include:

- The display of notices relating to the policy within the premises.
- These notices will indicate that any customer not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18 before being sold alcohol.
- Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities.
- Staff shall be trained in aspects of responsible alcohol retailing and in particular the Protection of Children including the

Continued from previous page...

Challenge 25 policy.

- Staff training will occur before a staff member is authorised to sell alcohol within the premises.
- Staff training records will be available for inspection by the police or other responsible authority upon request.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work in relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

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

Premises Licence Fees are determined by the non-domestic rateable value of the premises. Please see <http://www.stedmundsbury.gov.uk/sebc/live/pdf/licensing/PremFeesRev.pdf> for more information.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/Index.htm

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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

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

* Fee amount (£)

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

Continued from previous page...

* 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).

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

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

* Full name
* Capacity
* Date / /
dd mm yyyy

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

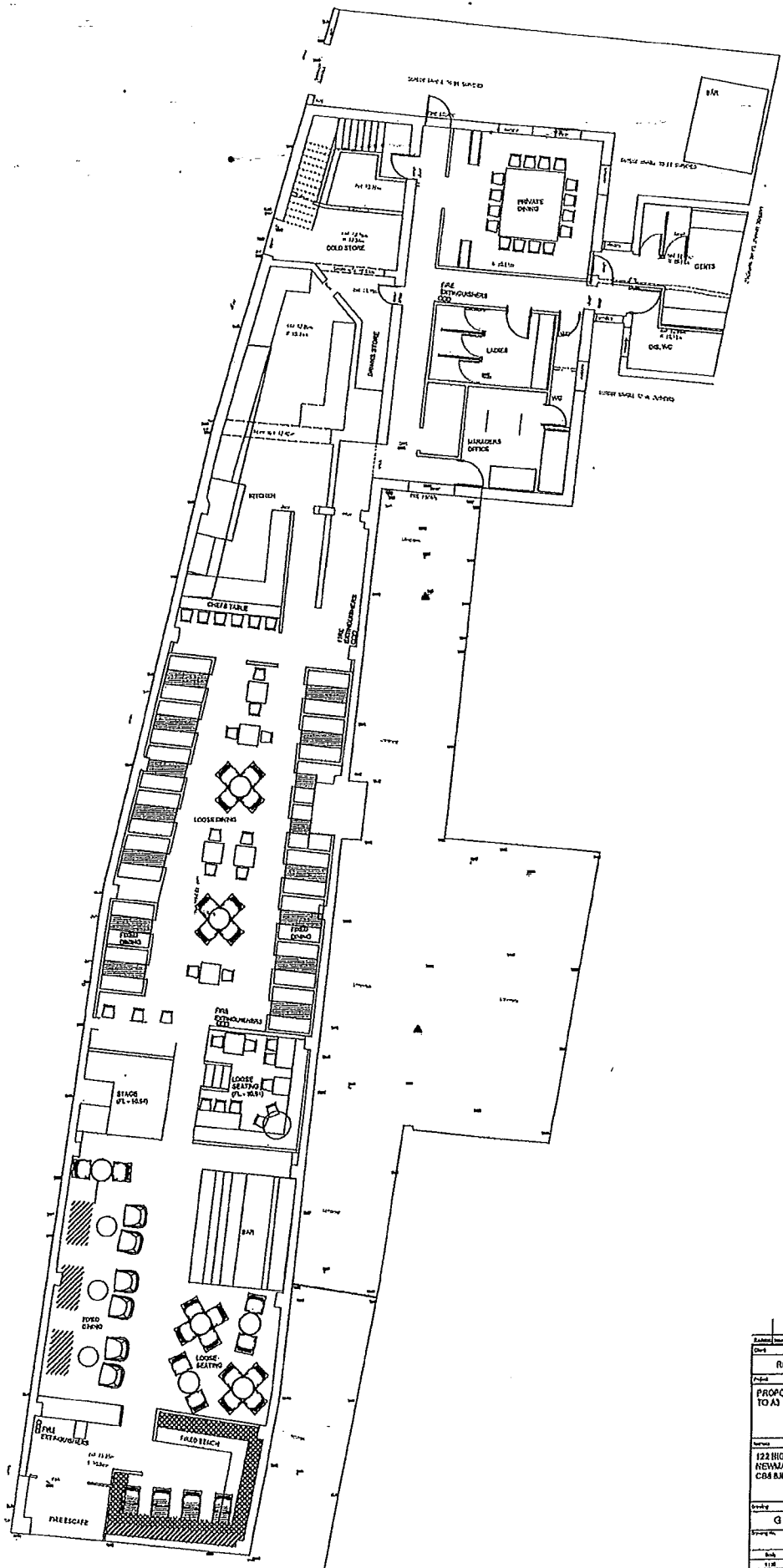
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/forest-heath/apply-1> to upload this file and continue with your application.

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

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

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

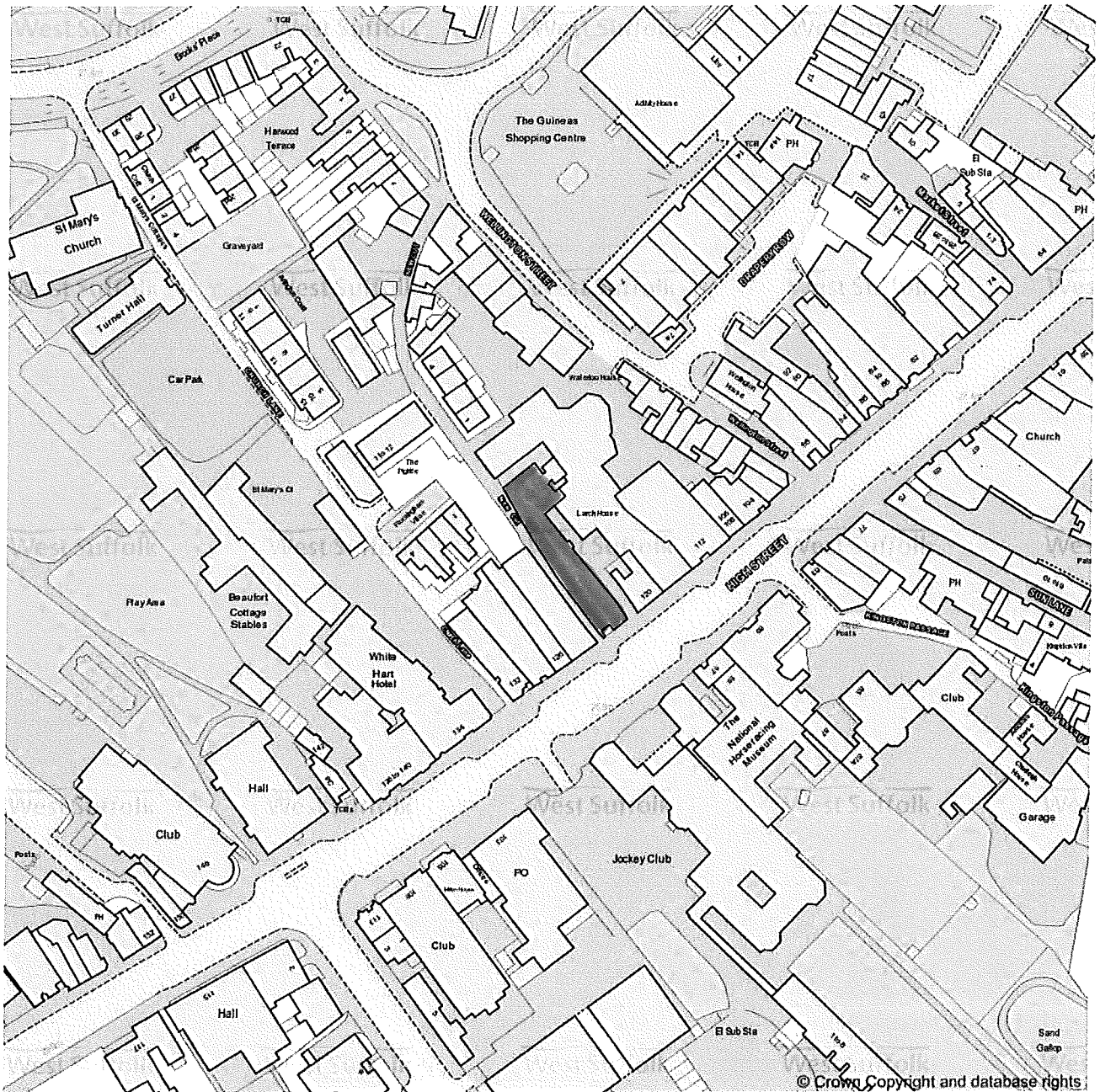
NOTES:
 All dimensions are in metres & rounded to nearest 100mm
 All dimensions are in metres & rounded to nearest 100mm
 All dimensions are in metres & rounded to nearest 100mm



Scale: 1:100
 Date: 12/11/11
 Drawn: [Name]
 Checked: [Name]

REGENT PLACE GROUP LTD			
PROPOSED CHANGE OF USE A1 TO A3			
122 HIGH STREET NEWMARKET CB8 8JF			
GROUND FLOOR			
17; 138-1			
Area	Plot Area	Overall	Overall
118	28	147	147

APPENDIX 2



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From: Cattle, Karen
Sent: 29 January 2018 11:56
To: licensing; Garnham, Amanda
Subject: New Premises Licence Application - 122, High Street, Newmarket

Dear Licensing,

I refer to the New Premises Licence application submitted by Jack William Shorney of the Regent Place Group Limited in respect of 122, High Street, Newmarket. The application states that Regent Place will occupy the ground floor of this premises and operate as an upmarket restaurant and bar with the sale of alcohol on the premises to primarily complement the provision of food. Whilst the application is for the sale of alcohol for consumption on the premises, the applicant would also like to allow **off** sales to enable customers to remove unfinished alcoholic products from the premises in sealed containers and to enable outside catering services.

The applicant also wishes to apply for the provision of amplified live and recorded music within the premises until 01:00 hours on each day of the week and, on occasions of bona-fide, pre-booked functions and events that are appropriately recorded in a diary, to extend the provision of regulated entertainment until 02:00 hours on up to 35 occasions each calendar year.

Public Health and Housing are aware that the ground floor of 122, High Street, Newmarket is currently used for retail and that the first floor above the retail unit is used for storage. A planning application has however recently been submitted for the change of use of the first floor, with additional roof extensions, to provide 9 residential units.

A planning application for the change of use of the ground floor of 122, High Street, Newmarket from A1 (Shops) to A3/4 (Restaurants and Cafes/Drinking establishments) has not, to date, been submitted but will be required to allow the premises to be used as proposed. Should however the application for conversion of the first floor to residential be approved, any change of use of the ground floor will need to be very carefully considered so as to ensure that the use does not negatively impact upon the residential occupiers.

Whilst it is accepted that an application for a New Premises Licence must be considered on its own merits, whether or not planning consent has been granted for the proposed use, 122, High Street, Newmarket is in a Cumulative Impact Area of Newmarket and it is considered that an additional licensed premises in this area would be a burden on existing businesses and residential properties in an already saturated area of licensed premises.

Furthermore, if planning consent is granted for the first floor residential use, consideration will need to be given by the applicant as to how noise, both air and structure-borne, from the playing of amplified live and recorded music within the licensed premises can be sufficiently mitigated so as to ensure that the residential occupiers are not disturbed. Noise breakout may also occur to the front and rear of the premises, particularly if doors and windows are left open for ventilation; in addition, the proposed booked functions, extending the operating hours to 02:00 hours, could potentially amount to extended hours three weekends out of four which is again likely to impact on the existing and proposed residential occupiers in the vicinity of the premises.

Public Health and Housing would therefore wish to object to the granting of a New Premises Licence in respect of 122, High Street, Newmarket.

Please contact me should you wish to discuss further.

Regards,

Karen.

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APPENDIX 4

SUFFOLK CONSTABULARY

NOT PROTECTIVELY MARKED
RESTRICTED/CONFIDENTIAL

Licensing Officer, Community Safety, Police Station, Acton Lane,
Sudbury, Suffolk, CO10 1QN. Tel: 01284 774330

Licensing
West Suffolk Council
West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

16th February 2018

Dear Sir/Madam,

Application for a new Premises Licence

Applicant: Regent Place Group Ltd

Premises: Regent Place, 122 High Street, Newmarket, Suffolk, CB8 8JP

I am writing to confirm that Suffolk Constabulary is making a formal representation against the granting of this application on the grounds that it may undermine the Prevention of Crime and Disorder licensing objective.

On 9th February 2018, a Police Licensing Officer met with the applicant to discuss concerns that Suffolk Constabulary have in relation to the granting of this premises licence application.

Police were seeking clarification as to the intended nature and use of the premises and detailed the areas that the applicant needed to address. The applicant agreed to submit an amended application for consideration by close of business on Monday 12th February.

I have been informed by West Suffolk Council Licensing that no amended application has been submitted as yet.

As the closing date for representations is 21st February 2018, Suffolk Constabulary is therefore making a formal representation against the granting of this premises licence.

Yours sincerely,

MJ Bacon

Mr M Bacon
Licensing Officer
Suffolk Constabulary Community Safety Unit

NOT PROTECTIVELY MARKED
RESTRICTED/CONFIDENTIAL



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Email: customer.services@westsuffolk.gov.uk
Telephone: 01284 758050

16 February 2018

Dear Licensing Officer

NEW PREMISES LICENCE APPLICATION
Regent Place, 122 High Street, Newmarket CB8 8JP

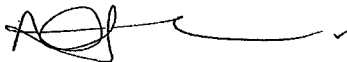
With reference to the above new premises licence application for a restaurant/bar situated on the High Street, Newmarket.

The Licensing Authority is a responsibly authority and wishes to make a formal representation against this application under the Cumulative Impact Policy. The hours that the applicant has requested on the application falls within the night time economy and is a relevant consideration under our CIP.

Attempts have been made to mediate with the Applicant to amend the conditions and hours to prevent a burden on the already saturated area of licensed premises. To date, the Applicant has not submitted any amendments under the four licensing objectives.

The Licensing Authority has exhausted mediation at this stage and is left with no alternative than to object to the application in its current format.

Yours faithfully



Amanda Garnham
Licensing Team Leader
West Suffolk Councils

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SCHEDULE

LICENSING REPRESENTATION FORM**Section 1: Licence Application Details**

Forest Heath DC

- 9 FEB 2018

Mildenhall

Please tick as appropriate:

I wish to **object** to the following application I wish to **support** the following application

NAME OF APPLICANT: Jack William Shorney
PREMISES NAME AND ADDRESS: Regent Place 122 High Street, Newmarket
POSTCODE: CB8 8JP

Section 2: Your Details

[If you are acting as a representative, please go to Section 3]

TITLE: (Mr, Mrs, Miss, Ms, Other (please state)) Mr Phillip Harlow
ADDRESS: Greenvor Yard Newmarket
POSTCODE: CB8

[You must provide your full residential address (or business address if your objection relates to the impact of the licence upon your business premises)]

Continued on next page...

Sirs,

I write to object to the granting of a premises licence at 122 High Street, Newmarket. If I believed it would be an upmarket restaurant as proposed I would support rather than object to the application.

As a resident living very close to the High Street I see first hand on a weekly basis the carnage that Newmarket suffers in the vicinity of Unique, Kings, The White Hart and Innocence (when open). This consists of fighting, shouting, swearing, broken glass, vandalism and rubbish with most of the adjoining alleyways being used as both male and female toilets. Placing another huge venue right in the midst of this will not have a calming effect.

This application is an obvious smokescreen to place a huge pub within the cumulative impact zone under the guise of a restaurant. If the licence is granted there would be nothing to stop the operator cutting back on food, removing tables and serving alcohol from 9am until 1.30am with loud music 7 days a week.

This could send a signal to other operators that Newmarket's night-time economy is up for grabs via the back door.

Regarding the 4 Licensing Objectives;

- Prevention of crime and disorder.

Any large venue that appeals to a younger audience will attract drugs and the problems that accompany them. Once the problem is removed from the premises it is left to the over stretched authorities to deal with.

- Prevention of public nuisance.

With no outside space smokers will congregate on the High Street leading to increased rubbish and drinking on the pavement, this causes an obstruction and a nuisance to pedestrians particularly parents with pushchairs and the elderly.

- Protection of children from harm.

This is clearly a thinly veiled attempt to open a huge pub serving alcohol from 9am and as such children should be excluded, unless a full meal is eaten by all in the party, then they leave soon after finishing. Not just a bowl of chips whilst the parents get drunk.

- Public safety.

Any visitor who finds themselves in our town on a busy night is likely to feel threatened by the sheer volume of drunk people in a small area with limited police presence. When I dine out I usually get a taxi home rather than walk through the swathes of drunks.

To conclude, the Cumulative Impact Policy was put in place for a reason, this should be respected and the application refused. No one wants Newmarket to return to the bad old days of De Niros and the hundreds if not thousands of people who flooded the town every week.

I P. Harlow, hereby declare that all information I have submitted is true and correct

SIGNED: _____

DATED: 7/2/18

Please send the completed form to the local authority area in which the premises concerned is situated:

<p>Business Regulation and Licensing Team Forest Heath District Council College Heath Road Mildenhall Suffolk IP28 7EY</p> <p>Phone: 01638 719733 email: licensing@westsuffolk.gov.uk</p>	<p>Business Regulation and Licensing Team St. Edmundsbury Borough Council West Suffolk House Western Way Bury St Edmunds Suffolk IP33 3YU</p> <p>Phone: 01284 758050 email: licensing@westsuffolk.gov.uk</p>
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February 13, 2018

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

Dear Sir

**Application for a premises license Licensing Act 2003 – Regent Place, 122 High Street
Newmarket, Suffolk CB8 8JP**

I am writing with reference to the Regent Place Group Ltd application for a license at the premises adjacent to residential flats at 124 High Street.

I would **object** to the application on the grounds that it will cause a nuisance to residents in Flats 1 to 6, 124 High Street due to noise late at night as well as to other adjacent residential properties.

The basis for this objection are:

The prevention of Public nuisance

The prevention of crime and disorder

Further related objections as stated below

The license contains the provision for a total of 35 nights per year of the premises staying open until 2.30 am for each of the following –

Live Music

Late night refreshment

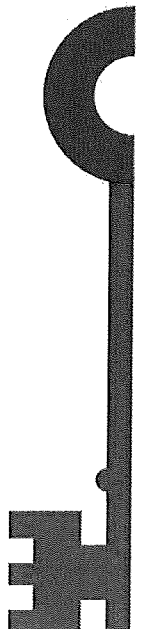
Sale of alcohol

Total hours open extension

The intent would therefore appear to be to create a late night entertainment venue in the centre of Newmarket High Street rather than a restaurant as stated on the planning application(DC/17/2619/FUL).

Should the above late opening provisions run concurrently, it would mean that the premises could be open for a total of 140 days per year, with the presumed addition possible of bank holidays. Should the hours for each of the reasons stated be argued to be over a full 24 hour period, then the allowable days for opening until 2.30 am would increase to 280 days in a year.

A further objection to the content of the application would be to the sale of alcohol and food to be taken off the premises, which will cause both litter and disturbance in the surrounding area.



The planning permission documents (DC/17/2619/FUL) do not make any reference on the plans to an outside area (which is shown as being un-surveyed) however the plans with this licensing application show an outside bar and area, with open access to New Cut.

Use of this area will cause disturbance to the amenity area of the flats 1-6 at 124 High Street as well as late at night to the flats that are at the gable end of the building and other residential properties including those of the Suffolk Housing Association at The Pightle, Rockingham Villas, 1-4 New Cut and those residential flats at 120 High Street.

It is believed that a late night live music venue will have a detrimental effect on the residential properties in the immediate area, and will reduce their ability to achieve full market rental value.

I would strongly suggest that prior to licensing the council compares the Planning Application with the Licensing to ensure that in granting a license, they do not inadvertently allow a night club venue to be licensed in the middle of the High Street.

Conditions to the license would mitigate the above objection which would be:

Opening hours restricted to 1 a.m.

Live Music restricted to up to 12 midnight

No "off site" sales of food or alcohol

No outside drinking area.

Fire escape access only to New Cut from the site.

Yours sincerely

John Johnstone

LICENSING REPRESENTATION FORM

Section 1: Licence Application Details

Forest Heath DC

20 FEB 2013

Mildenhall

Please tick as appropriate:

I wish to **object** to the following application I wish to **support** the following application

NAME OF APPLICANT: <i>JACK WILLIAM STORNEY / REGENT PLACE GROUP LTD</i>
PREMISES NAME AND ADDRESS: <i>REGENT PLACE 122 HIGH ST NEWMARKET SUFFOLK</i>
POSTCODE: <i>CB8 8JP</i>

Section 2: Your Details

[If you are acting as a representative, please go to Section 3]

TITLE: (Mr, Mrs, Miss, Ms, Other (please state)) <i>MRS D. THOMPSON</i>
ADDRESS: <i>55 EDINBURGH RD NEWMARKET SUFFOLK</i>
POSTCODE: <i>CB8 0QE</i>

[You must provide your full residential address (or business address if your objection relates to the impact of the licence upon your business premises)]

Continued on next page...

Section 4: Reason(s) for Representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the likely effect of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided below under each of the Licensing Objectives (where relevant). You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples, where possible.

LICENSING OBJECTIVE	REASON FOR REPRESENTATION
PREVENTION OF CRIME AND DISORDER	THE OPENING HOURS APPLIED FOR ARE NOT WHAT ONE WOULD EXPECT FOR AN 'UPMARKET RESTAURANT & BAR' AND THEREFORE THIS APPLICATION SHOULD BE VIEWED FOR WHAT IT SEEMS TO BE - A PUB/BAR THAT SERVES FOOD, SERVING FOOD UNTIL 1AM WILL ATTRACT PEOPLE LEAVING OTHER VENUES AS THEY CLOSE AND WANTING TO SIT AND EAT, THE DOORSTAFF PROVISION IN THE APPLICATION IS INSUFFICIENT AND SHOULD BE MANDATORY AT WEEKENDS TO PREVENT TROUBLE INSIDE. AS THIS VENUE IS A BAR ON THE HIGH ST THEY SHOULD BE REQUIRED TO JOIN THE TOWNLINK RADIO SCHEME.
PREVENTION OF PUBLIC NUISANCE	THE APPLICATION WILL PROB RESULT IN NOISE DISTURBANCE FOR LOCAL RESIDENTS BEHIND THE PROPERTY. THE PROPOSAL OF AN OUTSIDE BAR AT THE REAR (SOMETHING NOT SHOWN ON THE PLANNING APPLICATION) IS ANOTHER INDICATION THAT THIS IS MORE BAR THAN RESTAURANT, AN OUTSIDE BAR IN THIS AREA MEANS THERE WILL BE HIGH LEVELS OF NOISE VERY CLOSE TO RESIDENTIAL AREAS THE LOCATION OF THIS VENUE CLOSE TO WHITE HART, INNOCENCE AND UNIQUE MEANS IT IS IN AN AREA OF THE HIGH ST THAT SEES LARGE NUMBERS OF PEOPLE CONGREGATING LATE AT NIGHT.
PROTECTION OF CHILDREN FROM HARM	THERE ARE NO RESTRICTIONS ON THE ADMITTANCE OF CHILDREN AND YOUNG ADULTS, UNDER 18S SHOULD NOT BE ALLOWED IN A BAR LATE IN THE EVENING EVEN FOR FOOD, THERE SHOULD BE A TIME SET AFTER WHICH THE VENUE SHOULD BE OVER 18S ONLY (10PM MAYBE)
PUBLIC SAFETY	THERE IS NO PROVISION FOR STORAGE OF THE VAST AMOUNT OF FOOD AND OTHER WASTE PRODUCED BY THIS VENUE GIVEN THE OPENING HOURS APPLIED FOR, IF BINS ARE LEFT ACCESSIBLE BY THE PUBLIC THIS WILL LEAD TO PUBLIC HEALTH ISSUES. IF THE VENUE WANTS TO EXTEND HOURS TO 2AM THIS SHOULD BE BY MEANS OF A TEMPORARY EVENT NOTICE - WRITING 35 DAYS INTO A DIARY IS OPEN TO ABUSE AND CANNOT BE EFFECTIVELY MONITORED BY THE POLICE OR LICENSING THE APPLICANT MAY HAVE VISIONS OF AN 'UPMARKET RESTAURANT & BAR' BUT THIS WILL BE SEEN BY MANY AS A BAR THAT SERVES FOOD AND SHOULD BE TREATED AS SUCH BY LICENSING

I DAVINA THOMPSON, hereby declare that all information I have submitted is true and correct

SIGNED: *D Thompson*

DATED: 18.02.18

Please send the completed form to the local authority area in which the premises concerned is situated:

<p>Business Regulation and Licensing Team Forest Heath District Council College Heath Road Mildenhall Suffolk IP28 7EY</p> <p>Phone: 01638 719733 email: licensing@westsuffolk.gov.uk</p>	<p>Business Regulation and Licensing Team St. Edmundsbury Borough Council West Suffolk House Western Way Bury St Edmunds Suffolk IP33 3YU</p> <p>Phone: 01284 758050 email: licensing@westsuffolk.gov.uk</p>
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From: Roberta Bennett <Roberta.Bennett@newmarket.gov.uk>
Sent: 21 February 2018 14:02
To: licensing
Subject: FW: Premises License for 122 High Street Newmarket

Dear Sirs,

Would like to further add to my comment as follows.

The Committee object to the premises licence at this site, particularly with reference to the outside space. The committee consider that the noise and smoke and proximity to the adjacent passage way would not be in accordance with the following licencing objectives:

The prevention of crime and disorder

The prevention of public nuisance

There is concern that the applications show conflicting uses for this area and the committee consider that further clarity is needed regarding the use of the building as a whole.

Yours sincerely,

Roberta Bennett

From: Roberta Bennett
Sent: 21 February 2018 13:05
To: licensing@westsuffolk.gov.uk
Subject: Premises License for 122 High Street Newmarket

Dear Sirs,

We write with refence to the above application that was considered at the planning meeting of the Town Council held on Monday 19th February. The license was considered in conjunction with planning applications for both the conversion of the upper floors to flats and the change of use for the ground floor.

The Committee object to the premises licence at this site, particularly with reference to the outside space. There is concern that the applications show conflicting uses for this area and the committee consider that further clarity is needed regarding the use of the building as a whole.

Yours sincerely,

Roberta Bennett
Town Council Manager
01638 675915
07813551959



Newmarket
T O W N C O U N C I L

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REGENT PLACE NEWMARKET

1. A written notice of authority record will be kept for all staff who sell alcohol.
2. The contact details of the Designated Premise supervisor shall be available to staff and authorised officers.
3. Alcohol will be primarily sold to complement the provision of food, which will be available to customers throughout the hours that alcohol is sold.
4. Seating will be available for all customers, except in front of the bar area shown on the plan.
5. Staffing levels will be maintained appropriately to ensure adequate security.
6. High value items will be stored securely.
7. A policy of zero tolerance to drugs and weapons will be in place.
8. A CCTV system will be installed in accordance with the recommendations of Suffolk Police and the Licensing Authority. This system shall be in operation at all times when licensable activities are taking place.
9. CCTV recordings will be available for a minimum period of 28 days and handed to the police or duly authorised officers of the council upon request. The CCTV system shall be secure and under the control of the premises licence holder or other named individual.
10. SIA trained door-staff will be used at a time, level and number appropriate to the level of risk identified by the management of the business in consultation with the police and other authorities.
11. Staff will be trained on all security issues including how to identify and refuse service to customers that are drunk or appear to be drunk.
12. Alcohol will not be allowed to be taken from the premises in open bottles or containers.
13. Management will have an effective Safety policy for staff and customers. Risks to safety will be assessed daily before and during opening hours.
14. The entrance and walkways within the premises will be kept free from obstruction.
15. Appropriate fire-fighting equipment will be installed and maintained in good working order, and staff will be trained in its use.
16. Fire risk assessments will be undertaken and acted upon in accordance with current recommendations and requirements.
17. Effective lighting will be maintained and operated to ensure the safety of the public and staff.
18. No light on or from the property shall be provided where that light causes a nuisance to nearby residents or businesses.
19. The premises and public areas nearby will be kept free from litter associated with the operation of the business.
20. Arrangements will be put in place to supervise an orderly dispersal of customers when leaving the property to ensure the minimum of noise and disturbance to local residents and businesses.
21. Notices will be displayed, in a place where they can be easily read, asking customers to leave the premises and the area quietly and to dispose of waste responsibly.
22. Deliveries to and waste removal from the site will be undertaken at a time and in a manner that does not cause disturbance.

23. Live or recorded music from regulated entertainment shall not be audible at the nearest noise sensitive property, so as to cause a disturbance to local residents or businesses.
24. Live music will not be played before 09.00 or after 23.00.
25. Recorded music will be played as background music only throughout the premises during licensable hours. No amplified music will be played in the bar area as marked on the plan.
26. The premises licence holder or their representative shall conduct regular assessments of the noise coming from the premises on each occasion they are used for regulated entertainment. Appropriate steps shall be taken to reduce the level of noise where it is found to be heard at the façade of the nearest residential property.
27. Any complaints received about noise shall be logged and appropriate remedial action taken as a matter of urgency.
28. The premises will be promoted as family friendly and suitable for all ages. There will be no inappropriate entertainment, promotions, activities or behaviour tolerated at the premises that might put children at risk.
29. The premises will operate a Challenge 25 policy for age-restricted products. Notices relating to this policy will be displayed clearly on the premises. The notices will indicate that any customers not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18 before being sold alcohol.
30. Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities.
31. Staff shall be trained in aspects of responsible alcohol retailing and in particular the Protection of Children, including the Challenge 25 policy.
32. Training will be given before a staff member is authorised to sell alcohol within the premises.
33. Staff training records will be available for inspection by the police or other responsible authority upon request.
34. There will be a controlled smoking area to the rear of the premises. There will be no access to or from this area to the New Cut except as a means of escape in an emergency.
35. There will be no admission to customers under the age of 21 years without the booking of a table meal on a Friday and Saturday night.
36. No new customers will be allowed admission after 24.00 hours.

Non Standard timings

On no more than 35 times per calendar year, opening times extended to 02.30 and all other activities extended to 0200 for bona-fide pre-booked private functions that are recorded in a diary and available for inspection by the responsible authorities. The capacity limit for these private events is 50 people. All other customers would have to vacate the premises in line with standard operating times.