

# Licensing and Regulatory Sub- Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Wednesday 30 January 2019</b>
<b>Time:</b>	<b>10.00am</b>
<b>Venue:</b>	<b>Ground Floor Room 13 (GFR 13)</b> <b>West Suffolk House</b> Western Way Bury St Edmunds
<b>Full Members (3):</b>	Councillor John Burns Councillor Mike Chester Councillor Susan Glossop
<b>Substitute:</b>	TBC
<b>The membership of this Sub-Committee is drawn from Members of the full Licensing &amp; Regulatory Committee and needs not to be politically balanced.</b>	
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
<b>Quorum:</b>	Three Members
<b>Committee administrator:</b>	<b>Helen Hardinge</b> Democratic Services Officer <b>Tel:</b> 01638 719363 <b>Email:</b> <a href="mailto:helen.hardinge@westsuffolk.gov.uk">helen.hardinge@westsuffolk.gov.uk</a>

## **For Agenda Item 4.**

### **St Edmundsbury Borough Council Licensing: Procedures at Hearings**

The Chairman will introduce Members of the Committee and Officers present and ask all parties to identify themselves to the Hearing.

The Chairman will outline the procedure to be followed and:-

- (a) check that all parties have received copies of relevant representations;
- (b) ask all parties whether they wish to amend or withdraw their application or representation;
- (c) ask the Licensing officer whether any party has submitted additional supporting information (only if all parties agree shall the material be distributed to the Sub-Committee);
- (d) if the Licensing Officer reports any requests for a witness to appear, decide whether to allow the witness to speak and ask whether there are any further declarations of interest;
- (e) agree how much time each person will need to present their case; and
- (f) the Sub-Committee will determine whether the Substitute Member is required to hear the application.

The Licensing Officer will present the Statement of Facts.

The Chairman will invite Members and other parties to the hearing to ask questions of the Licensing Officer about the Statement of Facts.

The Chairman will invite the Applicant or representative to present their case and respond to questions from Members, Officers and other parties to the hearing.

The Chairman will invite those that have made objections or relevant representations to present their case and respond to questions from Members, Officers and all the other parties.

The Chairman will invite all parties to sum up their case and to confirm they are satisfied that they have said all they wish to say. (NB the applicant should sum up last).

Members and Officers may ask any final questions and the Chairman will then give all parties an opportunity to respond on those points (NB the last word should be from the Applicant).

The Sub-Committee, accompanied by the legal advisor and Committee Administrator will retire to determine the application.

- . The Chairman or legal advisor will announce the decision together with the reasons for it and will also outline rights of appeal.

General Notes:

The hearing may be adjourned at any time at the discretion of the Members. Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing.

- | Members may exclude any person from the hearing if it appears to them to be in the public interest to do so or if that person is being disruptive.
- | No parties will be allowed to cross examine unless Members agree that the procedure should be altered.

Any advice given in private session will be reported to all parties to the hearing.

## For Agenda Item 6.

### ST EDMUNDSBURY BOROUGH COUNCIL

#### LICENSING ACT 2003: PROCEDURE AT A REVIEW HEARING

**(A) Pre-hearing**

1. Declaration of Interests.
2. Chairman will introduce members of the hearing Sub-Committee.
3. Chairman will ask the applicant to:-
  - (a) introduce themselves and any person representing or assisting them; and
  - (b) confirm that they have received copies of the relevant representations to be considered at the hearing.
4. The Chairman will ask the officer of the Licensing Authority, the Committee Administrator and the Legal Advisor to the Sub-Committee to introduce themselves.
5. The Chairman will ask responsible authorities and other persons that have made a relevant representation to introduce themselves and ascertain whether a spokesman or spokesmen have been nominated for the other persons.
6. The Chairman will ask the Respondent (Licence Holder) to introduce themselves.
7. The Chairman will ask all parties to the hearing whether they wish to withdraw or amend their application or representation. (Where a party reports that they have withdrawn their representation, they will take no further part in the hearing, and may then leave the hearing if they wish).

(If all relevant representations are withdrawn, then having recorded any amendments to the application, the hearing shall be dispensed with and notice shall be given in writing by the Licensing Officer forthwith).
8. 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 Sub-Committee.
9. The Sub-Committee will determine if the Substitute Member is required.
10. The Chairman will ask the officer of the Licensing Authority to report any supporting documentary or other information that a party to the hearing wishes to present. If there is any such material, it will be distributed to the parties to the hearing.

The Chairman will ask all the parties to the hearing whether they consent to it being admitted. Only if they all agree will the material be distributed to the Members of the Sub-Committee, who may then take it into account.
11. The Chairman will invite the applicant or his representative and other parties to the hearing to estimate the time required to present their case and ask questions of other parties to the hearing.

12. The Sub-Committee will then determine the maximum period of time allowed for each party to put their case.

**(B) Hearing**

**The Application:**

13. The Chairman will ask the officer of the Licensing Authority to summarise the matter under consideration, and the Members, and all other parties to the hearing may then ask questions of the Licensing Authority officer.

**The applicant's case:**

14. The applicant or his representative will be invited to speak in support of their case and the Members of the Sub-Committee, officers of the Licensing Authority and all other parties to the hearing may then ask questions of the applicant.
15. The applicant will be invited to call any witnesses, and the Members of the Sub-Committee, officers of the Licensing Authority and all other parties to the hearing may then ask questions of the applicant and any witnesses.

**Relevant representations:**

16. Responsible authorities making representations will be invited to speak in turn and to call any witnesses, and Members of the Sub-Committee, officers of the Licensing Authority and all other parties to the hearing may ask questions of the responsible authorities and their witnesses.
17. Other persons making representations will be invited to speak in turn (commencing with the nominated spokesman/spokesmen) and to call any witnesses. Members of the Sub-Committee, officers of the Licensing Authority and all other parties to the hearing may ask questions of the interested parties and their witnesses.

**Respondent:**

18. The Respondent (the License Holder or their representative) will be invited to speak and to call any witnesses, and Members of the Sub-Committee, officers of the Licensing Authority, the applicant and those who have made relevant representations may ask questions of the respondent.

**Summing Up:**

19. The applicant or his representative will be asked to sum up their case.
20. Responsible authorities and interested parties making representations will be asked to sum up their case.
21. The Respondent will be asked to sum up their case.

**Determining the application:**

22. Members and the officer of the Licensing Authority may ask any final questions or seek clarification from parties to the hearing and will then give all other parties to the hearing an opportunity to respond on that point.
23. Unless the Sub-Committee resolves otherwise the Sub-Committee will retire into private session. The members of the Sub-Committee, the Legal Advisor and the Committee Administrator leave the meeting to determine the application.

24. Where advice has been given in private session, this will be reported to all parties to the hearing and they will be invited to respond. If necessary, the Sub-Committee may then resolve to go back into private session.

**The Decision:**

26. Having determined an application, the Chairman or the Legal Advisor will announce the decision, together with the reasons for it and will also outline rights of appeal.
27. The decision and rights of appeal will be confirmed in writing by the officer of the Licensing Authority forthwith.

## **Agenda**

### **Procedural Matters**

#### **Part 1 - Public**

**1. Election of Chairman**

**2. Substitutes**

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

**3. Apologies for Absence**

**4. Application for Variation of a Premises Licence - MRH  
Great Barton, The Street, Great Barton**

**1 - 26**

Report No: **LSC/SE/19/001**

**5. Exclusion of Press and Public**

To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **Part 2 – Exempt**

**6. Review of a Private Hire/Hackney Carriage Driver's  
Licence (Exempt: Paras 1 & 2)**

**27 - 34**

Report No: **LSC/SE/19/002**

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# Licensing and Regulatory Sub-Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Application for Variation of a Premises Licence – MRH Great Barton, The Street, Great Barton</b>
<b>Report No:</b>	<b>LSC/SE/19/001</b>
<b>Report to and date/s:</b>	Licensing and Regulatory Sub-Committee – 30 January 2019
<b>Portfolio holder:</b>	Councillor Susan Glossop Portfolio Holder for Planning and Growth <b>Tel:</b> 01284 728377 <b>Email:</b> <a href="mailto:susan.glossop@westsuffolk.gov.uk">susan.glossop@westsuffolk.gov.uk</a>
<b>Lead officer:</b>	Brenda Wright Licensing Officer <b>Tel:</b> 01284 757133 <b>Email:</b> <a href="mailto:brenda.wright@westsuffolk.gov.uk">brenda.wright@westsuffolk.gov.uk</a>
<b>Purpose of report:</b>	To consider an application for variation of a premises licence at MRH Great Barton. A representation has been received from an 'other person' which has been accepted and the Sub-Committee are, therefore, required to determine the application.

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

<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
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, in determining the application, should have regard to its statement of licensing policy and any guidance issued under section 182 of the Licensing Act 2003, but may depart from these where reasons are given.	Low
<b>Ward(s) affected:</b>		Great Barton	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		Licensing Act 2003  S.182 Guidance <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/702660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/702660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf</a> St Edmundsbury Borough Council Statement of Licensing Policy	
<b>Documents attached:</b>		Appendix 1 – Application Appendix 2 – Basic Location Plan Appendix 3 – Accepted Representation	

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

### **1.1 Key Issues**

1.1.1 An application has been received for variation of the current licence. A copy of the application is attached as **Appendix 1**.

1.1.2 The application seeks to extend the hours for the sale of alcohol to 24 hours daily; provision of late night refreshment between the hours of 23.00 – 05.00; to amend the conditions and make alterations to the premises.

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

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

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

### **1.1.4 Relevant Representations**

- (a) The application has to be advertised, both at the premises and in a local newspaper. Details are also available on the Council website.
- (b) One accepted representation has been received and is attached as **Appendix 3**.

The representation is made under the licensing objective 'The Prevention of Public Nuisance'.

MRH Great Barton currently opens between 06.00-23.00.

### **1.1.5 Matters for consideration**

- (a) 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.
- (b) If the Licensing Authority decides that this application should be refused, it will need to show that to grant the licence would:
- undermine the promotion of the licensing objectives; and
  - that appropriate conditions would be ineffective in preventing the problems involved.

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

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

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

No other relevant options were available.

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

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

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

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

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

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

2.1.3 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. The Sub-Committee should state in reaching its determination those matters which it considered relevant, those matters which it did not consider as they were irrelevant, and its reasons for the decision.

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**St Edmundsbury**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@westsuffolk.gov.uk](mailto:licensing@westsuffolk.gov.uk)  
 Telephone: 01284 757400

\* required information

**Section 1 of 18**

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  This is the unique reference for this application generated by the system.
- Your reference  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? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
- Yes  No

**Applicant Details**

- \* First name
- \* Family name
- \* E-mail
- Main telephone number  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
- Registration number
- Business name  If the applicant's business is registered, use its registered name.
- VAT number   Put "none" if the applicant is not registered for VAT.
- Legal status

*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 private individual acting as an agent

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

**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 18**

**APPLICATION DETAILS**

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

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

\* Premises Licence Number

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

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

62,500

### Section 3 of 18

#### VARIATION

Do you want the proposed variation to have effect as soon as possible?  Yes  No

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

Yes  No

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

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

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

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

The premises is a petrol forecourt store located on The Street, Great Barton, Bury St Edmunds, IP31 2NP.

The variation is to do the following:

1. Extension of the hours for the sale of alcohol to 24 hours daily.
2. Provision of late night refreshment between the hours of 2300 and 0500 daily.
3. To remove any embedded restrictions or site specific conditions on the licence.
4. To include in Annex 2 the conditions in boxes b to e of Section 16 of the application.
5. To make alterations to the premises.

### Section 4 of 18

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

Yes  No

### Section 5 of 18

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

Continued from previous page...

Yes

No

**Section 6 of 18**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

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

Yes

No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

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

Yes

No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

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

Yes

No

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

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

Yes

No

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

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

Yes

No

**Section 11 of 18**

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

[See guidance on regulated entertainment](#)

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

Yes

No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

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

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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 select as appropriate. Indoors may include a tent.

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

*Continued from previous page...*

The provision will take place inside the premises but customers may leave the premises with items purchased.

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 provision of late night refreshment at different times from those listed above, list below.

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

## Section 13 of 18

### SUPPLY OF ALCOHOL

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

Yes  No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

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.

State any seasonal variations.

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

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

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

**Section 14 of 18**

**ADULT ENTERTAINMENT**

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

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

The premises sells alcohol and other age restricted products.

Page 14

Continued from previous page...

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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 above, list below.

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

Continued from previous page...

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

Any embedded restrictions or site specific conditions on the licence.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

**Section 16 of 18**

**LICENSING OBJECTIVES**

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

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

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

b) The prevention of crime and disorder

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The precise positions of the camera may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

c) Public safety

**Page 16**

There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request,



*Continued from previous page...*

to the licensing authority and police.

d) The prevention of public nuisance

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

e) The protection of children from harm

The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

## **Section 17 of 18**

### **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 18 of 18

### PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

315.00

### DECLARATION

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

Privacy Statement: West Suffolk Councils is a Data Controller and can be contacted at: West Suffolk House, Western Way, Bury St Edmunds, Suffolk, IP33 3YU. Tel: 01284 763233. The Data protection Officer is Leah Mickleborough and can be contacted at the same address. We are collecting your personal information in order to process your application under the Licensing Act 2003. Your data will not be shared with third parties unless used for Council purposes, in order to

**Continued from previous page...**

enquire and receive information relating to your licence, prevent or detect crime, to protect public funds or where we are required or permitted to share data under other legislation. Your data will be kept for 7 years post licence expiry/ surrender in line with our retention policy. You have the right to access your data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances. Automated decision making and processing is not used during this application. Please contact the Data Protection Officer for further information or go to our website where your rights are explained in more detail. If you would like to receive an explanation of your rights in paper format please contact the Data Protection Officer. Any complaints regarding your data should be addresses to the Data Protection Officer in the first instance. If the matter is not resolved you can contact the Information Commissioner's Office at: Wycliff House, Water Lane, Wilmslow, Cheshire, SK9 5AF Tel: 0303 123 1113. If you do not provide the information required on the application form then we will not be able to process application for a licence. Your data must be kept up to date in accordance with the conditions of your licence. For further information on our Data protection Policies please go to our website: How we use your information or email: data.protection@westsuffolk.gov.uk

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	<input type="text" value="Winckworth Sherwood LLP"/>
* Capacity	<input type="text" value="Agent"/>
* Date	<input type="text" value="05"/> / <input type="text" value="12"/> / <input type="text" value="2018"/> 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/st-edmundsbury/change-1> to upload this file and continue with your application.

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

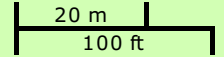
**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="AGS/29898/65"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

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St Edmundsbury BC  
Western Way  
Bury St Edmunds  
IP33 3YU  
01284 763233

Forest Heath & St Edmundsbury councils  
**West Suffolk**  
working together  
www.westsuffolk.gov.uk

Forest Heath DC  
College Heath Road  
Mildenhall  
IP28 7EY  
01638 719000

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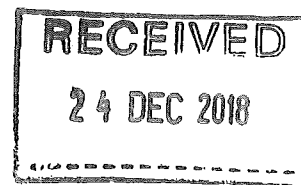


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APPENDIX 3



Mr and Mrs M.J Streatfield

The street

Great Barton

Bury St Edmunds

Suffolk

IP31 :

19<sup>th</sup> December 2018

Licensing Team, St Edmundsbury Borough Council

West Suffolk House

Western Way

Bury St Edmunds

IP33 3YU

Dear Licensing Team

We write to object to items 1 to 3 in the notice published to apply to vary a premises licence at MRH Great Barton, The Street, Great Barton, and Bury St Edmunds IP31 2NP.

To extend the sale of Alcohol for a full 24 hours would lead to an untold amount of noise and traffic and potentially lead to behaviour not suited to a rural location. There are plenty of outlets on the outskirts of towns, on for example designated retail parks that can sell Alcohol for 24 hours; this is simply not a suitable location.

The provision of late night refreshments likewise will bring untold traffic, congestion and noise into a village already plagued by a road that is unsuited to the volume of traffic it has to endure. There are already many sites located on bespoke retail parks that provide these services without having to have them in a village.

The Garage does provide a good service to the village and already is open from 6.00am through to 11.00pm at night. We have to endure floodlights, loud announcements telling people to switch off mobile phones etc., car horns, and general traffic noise and pollution associated with its activities.

The village and more particularly the close by residents need a break from this activity during the night. !

Please note our strong objection to this application.

Yours Sincerely

Mr and Mrs Streatfield

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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of the Local Government Act 1972.

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