

Licensing and Regulatory Sub-Committee

Title:	Agenda
Date:	Thursday 17 October 2019
Time:	10.00 am
Venue:	GFR-12 West Suffolk House Western Way Bury St Edmunds
Full Members:	Carol Bull Roger Dicker Don Waldron
Substitute:	TBC
Membership is drawn from the full membership of the Licensing and Regulatory Committee and is politically balanced as far as is practicable.	
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:	Three Members
Committee administrator:	Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk

HEARING PROCEDURE

Pre-Hearing Matters

1. Declaration of Interests
2. Chair will introduce members of the Hearing Panel
3. Chair 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 Chair will ask all parties to the Hearing whether they wish to withdraw their application or representation.
5. The Chair 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 Chair 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 Chair's opinion render it necessary and appropriate for the said material to be presented to the Hearing Panel. In this regard the Chair's decision will be final.
6. The Chair 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 Chair 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 Chair, and only through the Chair 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 Chair 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 Chair 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.

Agenda

Procedural Matters

Part 1 – Public

1. Apologies for Absence

2. Substitutes

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

3. Election of Chair

To seek nominations for the election of Chair for this Sub-Committee meeting.

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

**4. Application for the Grant of a Premises Licence -
Moriarty's, 3 Whiting Street, Bury St Edmunds**

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Report No: **LSC/WS/19/003**

Application for the Grant of a Premises Licence – Moriarty’s, 3 Whiting Street, Bury St Edmunds

Report No:	LSC/WS/19/003	
Report to and date/s:	Licensing & Regulatory Sub-Committee	17 October 2019
Cabinet Member:	Councillor Andy Drummond Portfolio Holder for Planning & Regulatory Services Tel: 01638 751411 Email: andy.drummond@westsuffolk.gov.uk	
Lead officer:	Jamie Livermore Licensing Officer Tel: 01284 757026 Email: Jamie.livermore@westsuffolk.gov.uk	

Wards impacted: **Abbeygate**

Recommendation: It is recommended that, in determining the application with a view to promoting the licensing objectives in the overall interests of the local community, Members give appropriate weight to, the steps that are appropriate to promote the licensing objectives; West Suffolk Council's Statement of Licensing Policy; Guidance issued under Section 182 of the Licensing Act 2003; the representations attached to this report, and any further relevant information presented to the Sub-Committee on the day of the Hearing.

The steps may be:

- (a) 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
- (b) Exclude from the scope of the licence any of the licensable activities to which the application relates, OR
- (c) Reject the application

1. Background / Context

- 1.1 An application for the Grant of a Premises Licence, made under the Licensing Act 2003, was received and accepted by the Licensing Authority on 28 August 2019. The application form and associated plan are attached as **Appendix 1** and **Appendix 2** respectively.
- 1.2 The application, made by Moriarty's Restaurants Limited, proposes an espresso and cocktail bar set over two levels. The licensable activities proposed under the authorisation of a Premises Licence are as follows;
 - Supply of Alcohol (On sales only)
Monday – Wednesday, Sunday 11:00-21:30
Thursday 11:00-22:30
Friday-Saturday 11:00-23:30
 - Provision of Recorded Music (Indoors only)
Monday – Wednesday, Sunday 08:00-21:30
Thursday 08:00-22:30
Friday – Saturday 08:00-23:30
 - Late Night Refreshment (Indoors only)
Friday – Saturday 23:00-23:30
- 1.3 The Licensing objectives which must be actively promoted by the applicant/holder of any Premises Licence issued under the Licensing Act 2003 are as follows;

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

1.4 A statutory 28 day consultation period started on 29 August 2019 and ended on 26 September 2019. This enabled Responsible Authorities and 'Other Persons' to make representations towards the application. 'Other Persons' includes any individual, body or business whether or not they live in the vicinity.

1.5 The details of the application were published in the local newspaper, displayed on the exterior of the premises, and advertised on the Council's website during the consultation period, as per the regulations.

1.6 Comments were received by Suffolk Constabulary and West Suffolk Council's Public Health and Housing department, both of whom are Responsible Authorities. Both Authorities requested additional conditions to be added to the Operating Schedule in order to conform to the positive promotion of the four Licensing objectives. The applicant has consented in writing to these additional conditions, therefore representations were not necessary and they would automatically be applied to the licence if it were to be granted. The comments are attached as **Appendix 3**.

1.7 A total of 7 representations were received by the Licensing Authority from 'Other Persons' within the statutory time frame, resulting in the necessitation of this hearing. The details of the representations are attached as **Appendix 4**.

2. Proposals

2.1 Members should seek to focus the hearing on the steps considered appropriate to promote the particular licence objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas.

2.2 Members should strongly consider the adopted Cumulative Impact Assessment held within the Council's Statement of Licensing Policy.

3. Legal Compliance

3.1 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, 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
- (b) Exclude from the scope of the licence any of the licensable activities to which the application relates, or

(c) Reject the application

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

3.2 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.

3.3 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.

4. Appendices

4.1 Appendix 1 – Application

Appendix 2 – Plan of Premises (A & B)

Appendix 3 – Comments made by Responsible Authorities (A & B)

Appendix 4 – Relevant Representations (A, B, C, D, E, F & G)

5. Background documents

5.1 Licensing Act 2003 -

<http://www.legislation.gov.uk/ukpga/2003/17/contents>

Guidance issued under S.18 of the Licensing Act 2003 -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

West Suffolk Council Statement of Licensing Policy -

https://www.westsuffolk.gov.uk/Council/Policies_Strategies_and_Plans/More_plans_and_policies/upload/WSCStatementofLicensingandCIAPolicy.pdf

* 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

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

Catherine

* Family name

Moriarty

* E-mail

thecatherinemoriarty@gmail.com

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

Is your business registered in the UK with Companies House?

- Yes No

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

Registration number

11161973

Business name

Moriartys Restaurants Limited

If your business is registered, use its registered name.

VAT number

- none

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

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

Details

Registered number (where applicable)

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

Continued from previous page...

56101 - Licensed restaurants

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.

This is an espresso and cocktail bar set over 2 levels, ground floor and basement. The basement area will be primarily for the serving of alcohol, where there will also be food available for purchase. There will be no drinking outside as there is no outside space and no drinks will be allowed to be taken out of the premises.

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

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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

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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

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

Continued from previous page...

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.

The music will be background music, not amplified, used to create a good atmosphere.

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.

none during the summer months

Continued from previous page...

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.

Christmas Eve and News Years Eve depending which day of the week these days will fall, I would like to continue the music until 00:00

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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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

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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

WEDNESDAY

Start

End

Start

End

THURSDAY

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...

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

The music will be background music, not amplified, to create a good atmosphere

State any seasonal variations

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

none 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.

Christmas Eve and News Years Eve depending which day of the week these days will fall, I would like to continue until 00:00

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Continued from previous page...

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.

State any seasonal variations

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

none during the summer months

Continued from previous page...

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.

Christmas Eve and News Years Eve depending which day of the week these days will fall, I would like to continue until 00:00

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?

- 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'.

Continued from previous page...

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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.

there will be no adult entertainment of any description

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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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

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

none 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.

Christmas Eve and News Years Eve depending which day of the week these days will fall, I would like to continue until 00:00

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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.

Moriarty's will strive to operate in such a way that we create a safe and convivial atmosphere, encouraging our customers to behave well. We are happy to work with the statutory authorities to ensure that any initiatives designed to achieve these goals are fully supported by us. We will not be promoting excessive consumption of alcohol and the unruly behaviour that often goes with it.

As we will be offering food during our trading house we recognise that this is a vital component of our approach to responsible drinks retailing. It is widely recognised that the consumption of food both before and during the consumption of alcohol is widely recognised to slow down its absorption into the blood stream. Moriarty's will actively encourage our customers to drink in moderation and to enjoy alcoholic beverages in a sensible manner.

Moriarty's do not condone any type of promotions involving alcohol consumption and therefore there will be no promotions involving alcohol consumption.

There are a wide range of soft drinks and coffee on offer within the Moriarty's range of offerings. There will be low-alcohol and non-alcoholic drinks prominently advertised within the premises and on any social media.

b) The prevention of crime and disorder

Staff will be trained to ensure that alcohol is not served to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf. Staff will be trained to continually assess the state of sobriety of any customer purchasing alcoholic drinks or consuming alcohol within the premises. Any member of staff who is uncomfortable dealing with a situation will be expected to notify a member of the management team on the premises and the management team will always support the decision of any member of staff not to serve a customer who appears to be drunk or disorderly.

If any customer becomes insulting, threatening or aggressive all members of staff will be trained to immediately notify the management team. The management team will take steps immediately to diffuse the situation. However if the individual refuses to leave the premises and if necessary the police will be called to assist in the ejection. Moriarty's will be a member of the PubWatch or any similar local intelligence system and we will always support "Banned from One - Banned from All" initiatives which ensure that a consistent approach is taken by licensed premises to refuse entry to anyone who has been included on the PubWatch "banned list".

Continued from previous page...

c) Public safety

CCTV will be provided throughout the premises. This is a proven, active deterrent for anti-social behaviour. Staff will receive training in the use of the CCTV system so that immediately following an incident the footage can be replayed, downloaded and provide the footage to the statutory authorities without delay.

We will continually "risk assess" the need to provide door supervision and we are willing to follow any reasonable recommendations of the police to engage door supervisors where that is deemed necessary. If any door staff are engaged to work at Moriarty's their primary function will be to ensure that the points of exit and entry remain under supervision while also monitoring the interior of the premises to maintain a safe and relaxing environment for customers and employees alike. We will ensure that any door supervisors are registered and in possession of an SIA badge and refuse to allow any unbadged door supervisor to work on our premises.

We strive to eradicate glass-related incidents through strong front-of-house management, staff training, effective door and customer management policies, regular glass collection, well-maintained premises. All staff will receive training to ensure that no customer leaves the premises with glassware or bottles. All empty drinking vessels will be cleared away in a timely fashion so as to reduce the risk of breakages and their use as a weapon. We believe that the food, drink and atmosphere offered at Moriarty's will attract a very broad range of age groups and types of clientele than many of the other drinking establishments throughout Bury St Edmunds, which we believe will be a significant factor in reducing the potential for poor behavior and any glass-related violence.

We aim to provide comfortable, efficient and ergonomic dining facilities and accessible customer areas suitable for all types of customers. All areas are designed aesthetically and surfaces are carefully chosen to ensure safety. 3 Whiting Street is a large premises allowing Moriarty's to provide ample seating space to prevent overcrowding, which in turn creates a safe and more welcoming atmosphere.

d) The prevention of public nuisance

Moriarty's will operate a dispersal policy designed to minimise the negative impact of our premises on the local area. A key element of encouraging customers who are leaving the premises to behave in a responsible fashion is ensuring that they are well-managed whilst on the premises. We have set out measures previously that will be adopted to ensure customers are well managed on the premises.

We accept that our responsibilities cannot simply end at our front door and that, by contributing to a better managed end of the night, we can help deliver a safer town centre. We acknowledge that by the very nature of our operation we can be potential sources of nuisance, anti-social behaviour and crime which may create concern for the immediate neighbourhood, its residents and the authorities. We will be implementing a dispersal policy which will seek to reduce the pressure on the police at the end of trading, ease customers' passage home and minimise the likelihood of local residents being disturbed. The key factors of that policy are:

- music levels will be reduced (even further) towards the end of the evening to assist in the quiet and orderly dispersal of customers. Experience shows that because customers have not been using raised voices against the background of loud music immediately prior to leaving the premises they tend to leave more quietly.
- Lighting levels will be manipulated to become 'brighter' at the end of trading hours to encourage the gradual dispersal of patrons during the last part of trading and the drinking up period.
- On dispersal our staff will be trained to actively encourage customers not to congregate outside the venue, direct customers to the nearest taxi ranks or other transportation away from the area; and ensure the removal of all bottles and glasses from departing customers.
- Our management team will not hesitate to speak to any groups that congregate in the vicinity of the premises after closing time and ask them to move on.
- We request that a minimum of 30 minutes drinking-up time is incorporated in the premises licence as an aid to the gradual dispersal of all customers in the premises at the end of the evening.
- We will ensure that there is strong management and staff presence in the customer area and at exit points during the dispersal period.
- There will be signage placed at exit doors asking customers to respect the rights of our neighbours to the quiet enjoyment of their homes.
- Where it is deemed appropriate we can provide customers with information on how they can get home safely. Where

Continued from previous page...

customers require individual assistance in obtaining safe transport from our premises we will do whatever is reasonably possible to help, for example by providing details of bus routes or contacting taxi and private hire operators on their behalf.

Although there will be music played at the premises this will not be loud music as Moriarty's will encourage conversation without the need for customers to talk loudly or shout. There will be no dance floors, and the seating will encourage customers to sit and be social with each other.

Since the introduction of the smoking ban preventing smoking inside premises Moriarty's will be encouraging customers to not congregate outside the premises whilst smoking. No drink or food will be permitted to be taken outside which we believe will encourage customers back inside quickly and effectively.

e) The protection of children from harm

As Moriarty's will not be providing entertainment and together with the range of products mentioned previously will mean that a broad range of age-groups will be attracted to our premises. We will encourage families to eat with us which will further increase the age and range of our customers. Although children will be allowed into our premises unaccompanied during the day as part of the espresso bar they can purchase food and soft drinks. We will abide by a Challenge 25 policy, all staff will be trained to ask any customer who appears to be under the age of 25 years to provide valid proof of age. We will also provide training to all staff to be vigilant and ensure that customers buying drinks at the cocktail bar are not buying them for underage individuals. All staff will be provided with this training at induction prior to them serving any customers. They will be asked to sign a letter confirming that they have received this training and that they understand their responsibilities. All training records will be retained on personnel files and regularly reviewed by the management team to ensure that the training system is adequately completed. If any shortcomings are identified the individual employee is required to undergo further training until the policy is satisfactorily understood by them and applied.

We will be adopting the industry standards and recognise only the following forms of identification as valid forms of proof of age:

- National passport
- Photographic Drivers' Licence
- United Kingdom 'PASS' accredited age identification card with photograph.

If a young person tries to use ID which is fake or has been altered in any way, the ID is retained by the pub management team and given to the police at the first reasonable opportunity.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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.
- 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 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 or 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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 https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Alcohol_and_entertainment/premiseslicence.cfm 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*

In all other cases, the premises shall be in Band A (i.e where NNDR does not apply) except where the premises is under construction, in which case it shall be in Band C.

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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 (£)

Continued from previous page...

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

* CHECKLIST

* I have made or enclosed payment of the fee.

* I have enclosed the plan of the premises clearly indicating the area in which the licensable activities will take place

* I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable

* I understand that I must now advertise my application and put up my blue notices

* I understand that if I do not comply with the above requirements my application will be rejected

Privacy Statement: West Suffolk Council 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 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

* Capacity

* Date / /
dd mm yyyy

Continued from previous page...

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/west-suffolk/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

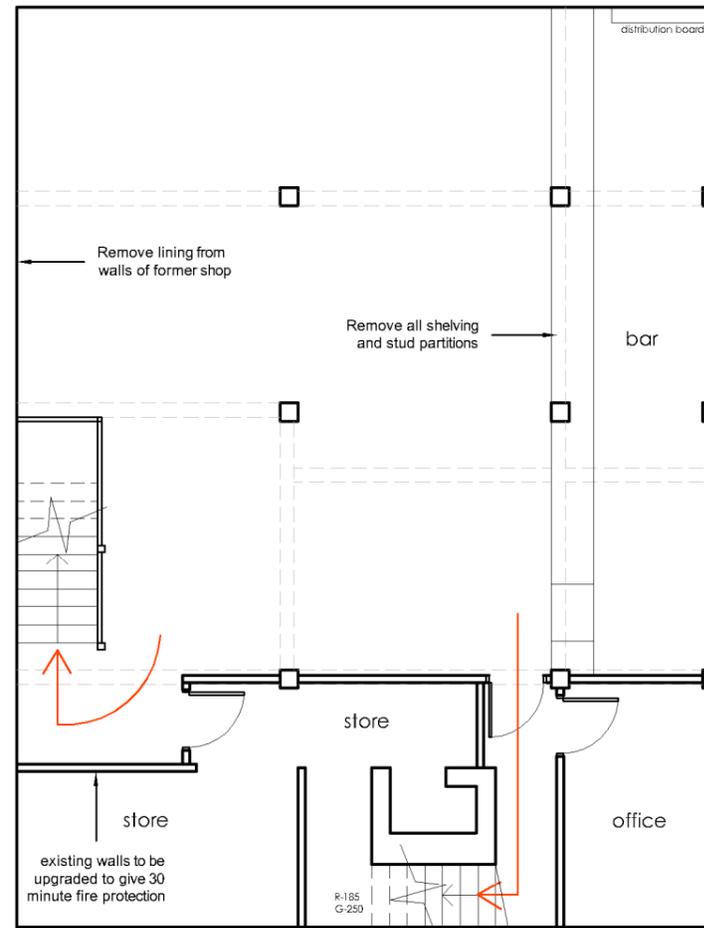
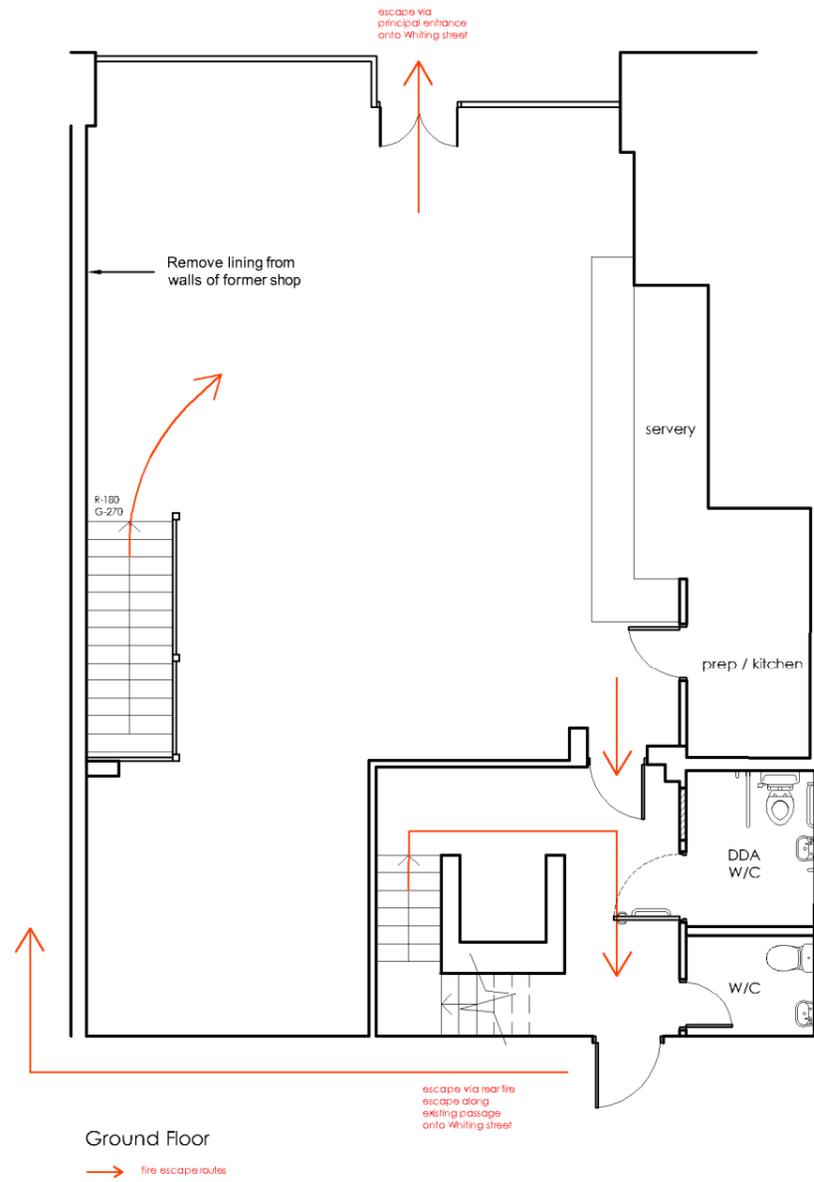
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
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](#) [19](#) [20](#) [21](#) [Next >](#)

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Section

revision	description	date
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Client:

C Moriarty

Job Title:

Conversion of retail unit

Drawing Title:

Proposed plans and section

Scale: Drawn By: Date:

1:100 A3 LS July 2019

Job Number: Drawing Number: Status:

6020 02 Preliminary



Chartered Architects & Chartered Building Surveyors
 18 Hatter Street, Bury St Edmunds, Suffolk, IP33 1NE
 01284 760421 info@whitworth.co.uk www.whitworth.co.uk

NOTE:
 Do not scale from this drawing. Confirm all dimensions on site. Refer any discrepancies to the Architect before work is put in hand. Read this drawing in conjunction with the relevant sections of the specification, schedule of works and other drawings.

This drawing is copyright of whitworth.

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Mon 16/09/19 16:43

Catherine Moriarty <thecatherinemoriarty@gmail.com>

Re: Application for the Grant of a Premises Licence - Moriarty's, 3 Whiting Street, Bury St Edmunds, Suffolk, IP33 1NX

To Livermore, Jamie

Hi Jamie

Thank you for your email. I have read through the conditions and agree with all. Makes complete sense.

Kind regards
Catherine

On Mon, 16 Sep 2019, 16:10 Livermore, Jamie, <Jamie.Livermore@westsuffolk.gov.uk> wrote:

Hi Catherine

I have had a response back from Matthew Bullock of the West Suffolk Council Public Health team and they have requested that the following conditions be added;

- **A notice shall be displayed in a prominent place advertising patrons to leave quietly and respect neighbours.**
- **All staff will be trained to ask customers to leave quietly, to form part of their training records.**
- **Playing of recorded music will be restricted to background volume only and will be turned down if requested by Police/Local Authority if deemed above appropriate levels.**
- **No performance of recorded or live music is permitted outside of the premises.**
- **Staff will ensure that the removal of waste and any deliveries are kept to a minimum when the premises is closed.**
- **Any glass refuse bins shall not be emptied outside into any wheeled bins at the premises between the hours of 23.00 and 07.00.**

Can you please advise whether you consent to these being added to the licence?

Many thanks

Jamie

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Fri 04/10/19 09:40

Livermore, Jamie

Moriarty's Premises Licence Application

To: Livermore, Jamie



Moriarty's Prevention of Crime and Disorder Conditions.docx
.docx File

Good morning West Suffolk Licensing ,

I met with Catherine Moriarty yesterday to discuss the application for Moriarty's, 3 Whiting Street, Bury St Edmunds.

Catherine has agreed to include the attached conditions to support the Prevent Crime and Disorder licensing objective.

Most of the conditions had been referred to in her application, however Catherine has agreed to adopt our wording so that they are specific and enforceable.

We have also added a condition about keeping an incident book.

Catherine's consent to the changes is included below and I have copied her into this email.

I would be grateful if you can now include them in the application and can confirm that there will not be any Police objection to the granting of the premises licence.

thanks

Mike Bacon

Licensing Officer

Police Station

Acton Lane

Sudbury

Suffolk

From: Catherine Moriarty

Sent: 18 September 2019 16:48

To: Bacon, Michael

Subject: Re: Moriarty's Premises Licence Application

Hi Mike

It was good to meet you today, thank you for visiting the premises.

I have read through the document and agree with everything you have written. Please pass them on to West Suffolk Council Licensing.

Kind regards

Catherine

Prevention of Crime and Disorder Conditions

1. An incident log will be kept at the premises, and made available on request to an authorised officer of the Police or Council. It must be completed within 24 hours of the incident and will record: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, (g) any refusal of the sale of alcohol (the record should include the date and time of the refused sale and the name of the member of staff who refused the sale) (h) any visit by a relevant authority or emergency service.

2. Staff will be trained in relation to the sale of alcohol. A record of this training will be kept at the premises and be available to an authorised officer of the Police or Council on request.

3. The premises shall install and maintain a comprehensive digital colour CCTV system. All main public areas of the licensed premises, including all public entry and exit points shall be covered. The CCTV camera shall continually record while the premises are open to the public and recordings shall be kept available and unedited for a minimum of 28 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by an authorised officer of the Police or Council. Any download must be in a format that can be played back on a computer or standard DVD player. The CCTV system will be checked by trained staff on a weekly basis to ensure it is functioning to agreed standards. Any fault is to be logged, notified to the DPS and fixed without undue delay.

4. When SIA licensed door supervisors are used at the premises, a record shall be maintained (on the premises) which is legible and details:
 - The date when door supervisors were deployed.
 - The name and SIA registration number of each door supervisor on duty at the premises.
 - The start and finish time of each door supervisor's worked duty period.

SCANNED

LICENSING REPRESENTATION FORM

POST ROOM

25 SEP 2019

WEST SUFFOLK HOUSE

Section 1: Licence Application Details

Please tick as appropriate:

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

NAME OF APPLICANT: <i>Catherine Moriarty</i>
PREMISES NAME AND ADDRESS: <i>Moriarty's 3, Whitig Street, Bury St. Edmunds</i>
POSTCODE: <i>IP33 1NX</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))
ADDRESS:
POSTCODE:

[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 3: Representative Details

[If you represent residents or businesses, please complete the details below]

NAME OF REPRESENTATIVE/ORGANISATION: Vivien Gainsborough Foot Churchgate Area Association
ADDRESS OF REPRESENTATION/ORGANISATION: 69, Whitling Street Bury St. Edmunds IP33 1NR
POSTCODE: IP33 1NR

I AM (tick as appropriate)

- Representative of residents association Representative of trade/business association
- Ward Councillor Other (please specify)
- MP

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
<p>PREVENTION OF CRIME AND DISORDER</p>	
<p>PREVENTION OF PUBLIC NUISANCE</p>	<p>Residents in Whiting Street are concerned about noise and request Moriarty's to agree to an additional condition to the licence that music should not be audible at the facade of the nearest residential properties.</p>
<p>PROTECTION OF CHILDREN FROM HARM</p>	
<p>PUBLIC SAFETY</p>	

86, Whiting Street
Bury St.Edmunds
IP33 1NX

18th September 2019

To whom it may concern

RE: OBJECTION to premises licence application at 3, Whiting Street, Bury St.Edmunds.
Suffolk. IP33 1NX

We are writing to register our strong objection to the above licensing application submitted by Moriarty's Restaurants Limited. This objection is specific to the 'late night' aspect of their application (i.e. any night after 21:00), involving provision of recorded music (indoors), late night refreshments (indoors) and the supply of alcohol (on premises).

Number 3, Whiting Street lies within an area protected by the councils Cumulative Impact Policy. Residents, including ourselves, already suffer noise nuisance and antisocial behaviour at all hours of the day and night. Not only would granting this licence provide a further source of alcohol within an area already heavily populated with licensed premises it will give rise to the potential for an increase in crime and general disorder in our street.

As a family with 3 young children, one of whom has a bedroom overlooking the proposed site, we object on the following grounds:

1. Noise. We live within a few metres of 3 Whiting Street and there is nothing to block unwanted sound from travelling that short distance. Leakage of noise will never be totally excluded. We already experience very loud music from Boosh bar which is located much further away than this will be. In addition we suffer considerable late night noise when the other local pubs and bars close and as patrons disperse in and out of the town centre. Disruptions include screaming and shouting, alcohol fuelled arguments as well as inappropriate language.
2. Antisocial behaviour. It is unrealistic to expect all patrons, especially after a few drinks, to be considerate of the local community. The longer the period of drink availability, the higher the risk of antisocial behaviour, and this risk factor is directly in front of our house. Our neighbours opposite have already suffered malicious damage to their home during the early hours of one morning, which was extremely distressing to their family as well as ours.

In addition, we would like to know where their patrons will go to smoke. If they are going to be directed outside the front of the premises, how will issues relating to noise from groups congregating there, noxious smells and disposal of cigarette butts be dealt with?

Whilst we recognise the importance of encouraging new businesses into the town centre, and welcome another cafe into our street, our primary concern is to protect our family, and as a site, just metres away from our home, we feel the current late night licensing proposal and application is totally unacceptable.

We look forward to hearing your feedback.

Yours sincerely

Helen Ellis & Nathan Ellis

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We refer to the License application for the above.

As there is no specific space suitable for a Smoking Area, we are concerned that cigarette butts will be left outside our premises. Already this is an issue, particularly since the council removed the waste bin that was outside Sheridans last year and have failed to replace it. We would also wish to point out that neighbouring buildings are listed due to their age and as such contain a lot of timber. Thus, care needs to be taken when smoking in the vicinity of said buildings. The space to the rear of neighbours, 4/5 Whiting Street, is enclosed and thus could be considered more of a fire risk.

Also as the glass panes in our windows are very old, we are concerned that people could be leaning up against them if smokers were allowed to congregate in the road, causing damage. Likewise customers leaving the premises in an unruly fashion could also cause damage to our listed building.

We trust these comments will be considered when approving the License.

Lesley Bancroft
Director
Buy the Light Limited

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To whom it may concern,

I would like to register my concern about the application for a late licence for this business. Bury St Edmunds is already well served by numerous bars and restaurants and I don't see the merit of a further bar serving alcohol until 23.30 in what is primarily an area consisting of residential properties and professional service businesses.

Our premises has been affected by anti-social behaviour and vandalism, albeit minor, in the relatively recent past and the location of a late night drinking spot is only going to increase the likelihood and frequency of this type of problem.

Yours faithfully

Daniel Richards

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To Whom it may concern,

I am writing in connection with the application for Premises License No 3 Whiting street.

We are very concerned with this application particularly the active hours on Fridays and Saturdays till midnight.

As you must be aware this part of Whiting street has many residential premises. Ourselves living in flat above number 4-5 which is right next door.

My young children's bedrooms that overlook the area right outside already suffer from more disturbances and noise since Weatherspoons opened. The fact the proposed opening and serving hours will be till midnight will undoubtedly lead to large numbers of customers leaving well after this time and also groups of people smoking outside the front as there are no external areas at the rear. Looking at the proposed layout and covers, I estimate there could be anything up to 20 people outside at any one time!

We personally have already experienced smashed windows, huge amounts of graffiti down the side of our building and endless rubbish and sick after a Saturday night, we are extremely concerned this will only get worse.

We fully understand that these type of businesses are a requirement and do in fact run Baileys2 Cafe at number 5 but only during hours of 9:00am and 16:00pm Monday to Saturday. The type of facility however proposed surely should not be in a semi-residential area where additional noise and disturbance late at night and into the early hours will cause misery for families particularly with young children as we do.

I am sure all the other nearby residents who also have young families will have the same concerns.

Please can you take this into consideration when evaluating this application.

Many Thanks,

Louise Foster

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Dear Sir/Madam,

We are writing to object to the new application by Moriarty's for premises licence at 3 Whiting Street, Bury St Edmunds, specifically the late licensing, on the grounds of Prevention of Crime and Disorder and of The Prevention of Public Nuisance. We wish to have our representation considered as residents of 6 Whiting Street.

We believe that the addition of a new premises on Whiting Street, with late licence to serve alcohol and play recorded music on several days of the week, would have the cumulative effect of an increase in crime and disorder and an increase in public nuisance.

The current number of licensed premises (Boosh, So Bar, The Mason's Arms, Petrus) on what is largely a residential street already results in public nuisance and crime and disorder and a further licensed premise would surely increase both of these problems.

As residents we experience disturbance of inebriated groups and individuals most nights with higher levels at weekends. We hear shouting, arguments and other incidents of public disorder as customers move between or leave licensed premises. We have been victims of crime, experiencing drunken males throwing a traffic cone through our front window. There are frequent occurrences of hearing people vomiting in the street and the public nuisance of the vomit on the pavements.

The very high volume of music being played after 11pm at night from Boosh causes a public nuisance and prevents residents from sleeping. We have huge reservations about the application to play recorded music at 3 Whiting Street which is much closer to the residential houses, especially considering that young children live above 4&5 Whiting Street, at 6 Whiting Street and 87 Whiting Street.

In summary, we object to the application as the cumulative effect of licensed premises will have negative consequences of:

- an increase in crime against both property and persons;
- an increase in noise causing disturbance to residents;
- an increase in littering and fouling.

We hope that our concerns will be addressed in this matter.

Kind regards

Katherine and Matthew Whitchurch

6 Whiting Street

Bury St. Edmunds

IP33 1NX

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I was concerned to read that there was an application for yet another bar to be opened in town - this time in Whiting Street on the site of the old InterSport business. I am unsure how the change of use of the premises came to be approved by the Council, apparently without the knowledge of local residents.

The Council will be conscious that there is already a high number of establishments selling alcohol in that part of town and which will undoubtedly fuel the current problems with antisocial behaviour in large part caused by excessive consumption of alcohol. The current situation puts huge pressure on the police and great anxiety for families living in town. The impact of all this spreads to other parts of the town too - even the Great Churchyard where there is frequently commotion well into the early hours of the morning.

The Council have approved the building of new houses and plenty of flats in town which is to be applauded, but there does seem to be a reluctance to make the centre a safe place to come and go.

I strongly urge you to reconsider this proposal and refuse the application.

Estelle Watson

4 Crown Street, Bury St Edmunds IP33 1QX

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