

# Public Document Pack



<b>COMMITTEE:</b>	<b>LICENSING ACT 2003 SUB-COMMITTEE</b>
<b>DATE:</b>	<b>FRIDAY, 28 JUNE 2019 AT 2.30 PM</b>
<b>VENUE:</b>	<b>KING EDMUND CHAMBER - ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH IP1 2BX</b>

## **LICENSING ACT 2003** **NOTICE OF HEARING**

In accordance with Regulation 6(1) of the Licensing Act 2003 (Hearings) Regulations 2005, the Licensing Authority of Babergh District Council hereby gives notice that a hearing of a Sub-Committee of the Authority's Regulatory Committee has been arranged as set out above in order to determine the following application:

### **Application for GRANT of NEW premises licence (section 17)**

<b>Application date:</b>	2 May 2019
<b>Application reference:</b>	023480
<b>Applicant:</b>	Quinton's Kitchen Ltd
<b>Premises:</b>	Quinton's Café, Joes Golf and Activity Park, Joes Road, Cornard, Sudbury CO10 0NZ

Please ensure that the attached 'Attendance at Hearing Notice' is completed and returned – see Page 3.

### **Sub-Committee Members**

#### **Members**

Sue Carpendale  
Michael Holt  
John Nunn

#### **Reserve Member**

Stephen Plumb

This meeting will be broadcast live to Youtube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting in person you will be deemed to have consented to being filmed and that the images and sound recordings could be used for webcasting/ training purposes.

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

## **AGENDA**

### **PART 1**

#### **MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT**

Page(s)

2 **ELECTION OF CHAIRMAN FOR HEARING**

3 **APOLOGIES FOR ABSENCE**

4 **DECLARATION OF INTERESTS BY COUNCILLORS**

5 **B/LASub/19/2 LICENSING ACT 2003 – HEARING TO  
DETERMINE AN APPLICATION MADE FOR THE GRANT OF A  
NEW PREMISES LICENCE - QUINTON'S CAFÉ, JOES GOLF  
AND ACTIVITY PARK, JOES ROAD, CORNARD, SUDBURY  
CO10 0NZ**

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Report from the Licensing Officer attached.

### **Right of attendance, assistance and representation**

Subject to regulations 14(2) - concerning exclusion of the public from all or part of a hearing where the Licensing Authority considers doing so to be in the greater public interest, and regulation 25 - concerning the exclusion of any person attending the hearing who is behaving in a disruptive manner:

- A party may attend the hearing and may be assisted or represented by any person, whether or not that person is legally qualified.

At the hearing a party shall be entitled to –

- a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representation or notice (as applicable,
- b) if given permission by the authority, question any other party; and
- c) address the authority.

### **Failure of parties to attend hearing**

- (1) If a party has informed the Authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may –
  - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (b) hold the hearing in the party's absence.
- (3) Where the Authority holds the hearing in the absence of the party, the Authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the Authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

### **Any points the Authority considers that it will want clarification on (if any):**

If any party is withdrawing their application based on the Applicant's voluntary reductions or modifications since the application was submitted then please contact us at [licensing@babergh.gov.uk](mailto:licensing@babergh.gov.uk) without delay.

If any party is to rely on documentary/video or other material to support their representation or submission please provide it as soon as possible in a legible/useable format (with any redactions having been made where appropriate). Late or on the day documentation/media production may not be admissible, in accordance with relevant regulations.

**APPLICANT – RESPONSIBLE AUTHORITIES – INTERESTED PARTIES**

**Please ensure that you complete and return the attached 'Attendance at Hearing Notice' NO LATER than 5 (five) working days before the date of the hearing.**

**A party who wishes to withdraw any representations they have made should do so as soon as possible.**

**If you consider that the hearing is not necessary, the Licensing Authority may dispense with a hearing providing all parties subject to the hearing agree that a hearing is not necessary. If you consider this to be the case, then you should give notice to the authority as soon as possible.**

**Procedure to be followed at the hearing**

The procedure is attached.

**Webcasting/ Live Streaming**

The Webcast of the meeting will be available to view on the Councils Youtube page:  
[https://www.youtube.com/channel/UCSWf\\_0D13zmegAf5Qv\\_aZSg](https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg)

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Committee Services on: 01473 296373 or Email: [Committees@baberghmidsuffolk.gov.uk](mailto:Committees@baberghmidsuffolk.gov.uk)



### **Introduction to Public Meetings**

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

### **Domestic Arrangements:**

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

### **Evacuating the building in an emergency: Information for Visitors:**

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

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# Agenda Item 5

## BABERGH DISTRICT COUNCIL

<b>To: Licensing Act 2003 Sub-Committee</b>	<b>Report Number: B/LASub/19/2</b>
<b>From: Corporate Manager - Open for Business</b>	<b>Date of meeting: 28 June 2019</b>

### **LICENSING ACT 2003 – HEARING TO DETERMINE AN APPLICATION MADE FOR THE GRANT OF A NEW PREMISES LICENCE – QUINTON’S CAFÉ, JOES GOLF AND ACTIVITY PARK, JOES ROAD, CORNARD, SUDBURY CO10 0NZ**

#### **1. Purpose of Report**

- 1.1 To report information to the Sub-Committee to enable the determination of an application made for the GRANT of a NEW premises licence for Quinton’s Kitchen Ltd in relation to the above premises.

#### **2. Recommendations**

- 2.1 The Sub-Committee must, having regard to the representations made, take such of the steps below (if any) as it considers appropriate for the promotion of the licensing objectives:

- to GRANT the licence subject to conditions which are consistent with the operating schedule accompanying the application - modified to such extent as the authority considers appropriate for promotion of the licensing objectives - and subject to any mandatory condition(s) which must be included in the licence;
- to EXCLUDE from the scope of the licence any of the licensable activities to which the application relates;
- to REFUSE to specify a person in the licence as premises supervisor; or
- to REJECT the application.

For these purposes conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

That the Sub-Committee determines this application at the hearing

#### **3. Financial/Legal Implications**

- 3.1 There is a statutory right of appeal to the magistrates’ court for any party aggrieved by the decision taken by the Licensing Authority.

#### **4. Risk Management**

- 4.1 None, other than those that inherently apply to the Licensing Authority when carrying out its licensing functions. The four licensing objectives are prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

## 5. Consultations

- 5.1 The application made has been subject to the statutory consultation period as prescribed by regulation. The notices advertising the application have been on display at the premises and published (West Suffolk Mercury – 15 May 2019 edition).

## 6. Equality Analysis

- 6.1 There are no equality impacts arising directly from the matters contained within this report.

## 7. Key Information

- 7.1 The hearing is to determine an application for the GRANT of a NEW premises licence made under section 17 of the Licensing Act 2003. A copy of the application including plans of the premises were received on 2 May 2019. These are attached as Appendix A to this report.

- 7.2 The application has been submitted by:

**Quinton's Kitchen Ltd** (registered company number 11715855)

For the proposed licensed premises:

**Quinton's Cafe**, Joes Golf and Activity Park, Joes Road, Cornard, Sudbury CO10 0NZ

The designated premises supervisor DPS is:

**Martin Quinton** (a personal licence holder with Babergh District Council)

- 7.3 The information provided with the application outlines that the sale and supply of alcohol (for consumption ON the premises only), recorded music (indoors & outdoors) and live music (indoors & outdoors) is proposed as part of a café located on a golfing range.
- 7.4 Full details of the proposed activities and timings are contained within the application form attached as **Appendix A** to this report.
- 7.5 The operating schedule steps proposed by the applicant to promote the licensing objectives are listed at Part M of the application form attached as **Appendix A** to this report.
- 7.6 A hearing is necessary to determine the application following receipt of relevant representations which have not been withdrawn. The Licensing Authority must carry out its functions under the Act with a view to promoting the licensing objectives, which are:
- (a) the prevention of crime and disorder;
  - (b) public safety;
  - (c) the prevention of public nuisance; and
  - (d) the protection of children from harm

- 7.7 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy published under section 5 of the Act, and any guidance issued by the Secretary of State under section 182 of the Act. The adopted Statement of Licensing Policy does not contain any Cumulative Impact Policy for any specific area of the district, as there is no evidential basis for it. However, the Licensing Authority is empowered to create a special policy should circumstances require it. The Licensing Authority's approach to this is specified in section 5 of the local Statement of Licensing Policy.
- 7.8 Where revisions are made to the legislation or guidance issued by the Secretary of State, there may be a period of time when the local Statement of Licensing Policy is inconsistent with these revisions. In these circumstances, the Licensing Authority will have regard, and give appropriate weight, to the relevant changes, guidance and its own Statement of Licensing Policy.
- 7.9 The Sub-Committee will also be aware of Human Rights Act 1998 considerations - specifically Article 6 and Articles 8 and 1 of Protocol 1 when determining applications for the variation of an existing licence.
- 7.10 Section 1.9 of the Council's Statement of Licensing Policy guides that the licensing process can only seek to control those measures within the control of the licensee or certificate holder (and their staff/agents). Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from such premises and beyond the direct control of the licence holder, nor is it a cure-all for community problems. If a licence holder has taken all appropriate steps to promote the licensing objectives whilst carrying on authorised licensable activities, and there is no causal link established between problem issues in the locality and a specific premises then it is unlikely that licensing processes are the mechanism to address them.
- 7.11 Public nuisance is given a statutory meaning in many pieces of legislation, however under the Licensing Act 2003 it is not narrowly defined and retains its broad common law meaning (as outlined in by the Secretary of State at paragraph 2.16 of the Guidance issued under section 182 of the Licensing Act 2003).
- 7.12 The Licensing Authority's general approach to considering licensing hours is contained within section 6 of the local Statement of Licensing Policy, and section 7 guides on relevant representations.

## **8. Representations**

- 8.1 The Licensing Authority has received no representations from any of the Responsible Authorities under the Licensing Act 2003.
- 8.2 There have been **11 (eleven)** representations received made by 'other persons' (which includes local residents, businesses and residence association). These are attached as **Appendix B** to this report.

## 9. Appendices

Title	Location
(a) Application for GRANT of NEW premises licence and accompanying documents/premises plans	Attached
(b) Representations received from 'Other Persons'	Attached
(c) Site plan of the location of the premises	Attached

## 10. Background Documents

10.1 The Licensing Act 2003

10.2 Guidance issued under Section 182 of the Licensing Act 2003

10.3 Babergh District Council's Statement of Licensing Policy

Authorship:

David Price - Licensing Officer

Katherine Green - Licensing Officer

0300 123 4000 Option 6

[LicensingTeam@baberghmidsuffolk.gov.uk](mailto:LicensingTeam@baberghmidsuffolk.gov.uk)

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

**I/We** Quinton's Kitchen Ltd

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Quinton's Cafe</b> Joes Golf and Activity Park Joes Road Cornard			
<b>Post town</b>	Sudbury	<b>Postcode</b>	CO10 0NZ

Telephone number at premises (if any)	<b>01787 258005</b>
Non-domestic rateable value of premises	<b>£2,500</b>

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- |  |   |
|--|---|
| a) an individual or individuals *                    | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual *               |   |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or              | <input type="checkbox"/> please complete section (B)            |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                                 | <input type="checkbox"/> please complete section (B)            |
| d) a charity   | <input type="checkbox"/> please complete section (B)            |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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



I am making the application pursuant to a

statutory function or

☐

a function discharged by virtue of Her Majesty's prerogative

☐

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

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					



**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

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

Name Quinton's Kitchen Limited
Address Reg office: Yorley Farm Upper Road Little Cornard Sudbury CO10 0NZ
Registered number (where applicable) 11715855
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company

Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	052019

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
 A small, 30 cover cafe located on Joes Golf and Activity Park. The cafe provides home cooked food, including breakfast and lunch to golfers using the onsite golf facilities and also to members of the public.  
 Current food service time is 9am until 3pm.  
 The cafe is joined to the main golf reception and driving range. The property as a whole is detached and is located 200ft from the road and 500ft from the nearest residential property.  
 Users of the cafe have access to a car park and a fenced paddock area which holds a marquee for private functions.  
 The site is 3 miles from central Sudbury and is in a rural location.  
 Please see map for details of alcohol service areas

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

n/a

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- |   |                                     |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |

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

☐

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

☒

**In all cases complete boxes K, L and M**

# A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)			
Tue						
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)			
Thur						
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)			
Sat						
Sun						

## B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)			
Tue						
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)			
Thur						
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)			
Sat						
Sun						

# C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			
Fri			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Sat			
Sun			

# D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)			
Wed						
Thur						
			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Fri						
Sat						
Sun						

# E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)  Live music performances to be in conjunction with Marquee events. Will be amplified. Music performances will not be regular.		
Mon	11:00	20:00			
Tue	11:00	20:00			
Wed	11:00	20:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5) No variations		
Thur	11:00	20:00			
Fri	11:00	22:00			
Sat	11:00	22:00	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6) n/a		
Sun	11:00	22:00			



# F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)  Recorded music to be in conjunction with Marquee events. Will be amplified. Music performances will not be regular.		
Mon	11:00	20:00			
Tue	11:00	20:00			
Wed	11:00	20:00			
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5) none		
Thur	11:00	20:00			
Fri	11:00	22:30			
Sat	11:00	22:30			
			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6) n/a		
Sun	11:00	21:00			

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)	
Wed				
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)	
Fri				
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)	
Sun				

# I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)	
Fri				
Sat			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)	
Sun				

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	11:00	22:30			
Tue	11:00	22:30			
Wed	11:00	22:30			
Thur	11:00	22:30	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6) Extension of Sunday licensing hours to 22:30 when followed by a bank holiday Monday		
Fri	11:00	22:30			
Sat	11:00	22:30			
Sun	11:00	21:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Martin Quinton	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

## K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9).

No intention to provide age restricted entertainment.

We have a marquee which we intend to hire out for customer functions

## L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)
Mon	09:00	23:00	
Tue	09:00	23:00	
Wed	09:00	23:00	
Thur	09:00	23:00	
Fri	09:00	23:00	
Sat	09:00	23:00	
Sun	09:00	23:00	



## M

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

All sales or supply of alcohol shall be ancillary to food. No sale or supply of alcohol shall be made on the licensed premises unless it is part of a food order

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

The premises licence holder shall ensure that a robust hiring process and agreement is in place for third party hiring requests to hire the licensed premises for licensable activities, so as to ensure that the licensing objectives are promoted. The premises licence holder shall ensure that hirings are monitored by a responsible person on behalf of the premises licence holder, and that hirers are briefed by the premises licence holder on relevant licence controls.

No illegal drugs shall be permitted on the premises, and all hirers / users made aware of a zero tolerance to drugs on the premises. Notices shall be prominently displayed and maintained in respect of this matter

Crime prevention posters shall be prominently displayed and maintained on the licensed premises relating to any prevalent crime and disorder issues in the local area.

**c) Public safety**

The premises licence holder shall ensure that notices detailing emergency evacuation procedures shall be prominently displayed and maintained on the licensed premises. Adequate arrangements shall be in place to ensure the safe evacuation of any disabled persons on the premises.

Patrons shall not be permitted to leave the premises with opened bottles or glassware. The premises licence holder shall ensure that customers are not permitted to consume alcoholic drinks outside the premises – which includes whilst they are observing smoke free regulations. The premises licence holder shall ensure that suitable and satisfactory public safety risk assessments are undertaken with outcomes to be legibly recorded in a log-book maintained for that purpose.

**d) The prevention of public nuisance**

The premises licence holder shall take all reasonable steps and precautions to minimise the risk of disturbance or nuisance to local residents caused by events or attendees at the licensed premises (whether through people noise, entertainment noise, vehicular noise, waste disposal, event set-up or breakdown, littering or noxious odour).

Monitoring shall take place both inside and outside of the licensed premises and due regard shall be had to whether the activities may lead to excessive noise at neighbouring properties. Appropriate remedial steps shall be taken, and recorded, in the event of any excessive noise levels being experienced.

Staff on duty shall monitor the activity of patrons leaving the premises and assist with a managed departure. Persons leaving shall be reminded to act in a responsible manner and leave the immediate area with consideration to the needs of the local community.

All waste shall be removed outside of the hours of 23:00 hrs and 07:00 hrs and suitable and sufficient lidded waste disposal bins shall be provided at the licensed premises.

Notices shall be prominently displayed and maintained on the premises requesting that attendees/users of the licensed premises leave the premises and the vicinity quietly and with the respect to the needs of neighbouring properties.

Lighting and emergency lighting shall be installed and maintained so as to ensure that good levels of visibility are maintained whilst the premises are being used for licensable activities and the public are on the premises. External lighting should be of such specification and positioning so as to meet this objective without causing any public nuisance by light pollution

During operating hours, the premises licence holder or a nominated representative shall be available to receive and respond to nuisance-related complaints. A contact telephone number shall be provided to the Licensing Authority for that purpose.

There shall be not more than 12 (twelve) outdoor events per calendar annum involving licensable activities on the licensed site.

The premises licence holder shall create a list detailing all regular outdoor events involving licensable activities each calendar year at the licensed premises. A final version of the list shall be sent by the premises licence holder to the Licensing Authority and Responsible Authorities no later than 28 (twenty-eight) days prior to the first day of the first event, each calendar year. Where an event has not on the including on the list of events, the premises licence holder shall give 28 (twenty-eight) days' notice prior to the first day of the event to the Licensing Authority and Responsible Authorities.

#### e) The protection of children from harm

The premises licence holder shall adopt a 'challenge 25' proof of age scheme. The premises licence holder shall operate a requirement for the production of a passport, driving licence, or other bona fide form of identity carrying a photographic image, where the individual requesting the supply of alcohol appears to be under the age of 25.

There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Children shall only be permitted in areas of the premises being used for licensed activities or events where accompanied and under the supervision of an adult. Where events or activities are intended primarily or exclusively for persons under the age of 18, the premises licence holder shall ensure that no alcohol is available for sale or supply and that all alcohol is removed or secured so it is not available for viewing or unauthorised supply.

#### Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☐
- I have enclosed the plan of the premises. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☐
- I understand that I must now advertise my application. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☐



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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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).</li> <li>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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	25.04.19
Capacity	Martin Quinton – Owner, DPS and applicant

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

Signature	
Date	

Capacity			
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

### Notes for Guidance

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

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. **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.
- 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.



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.



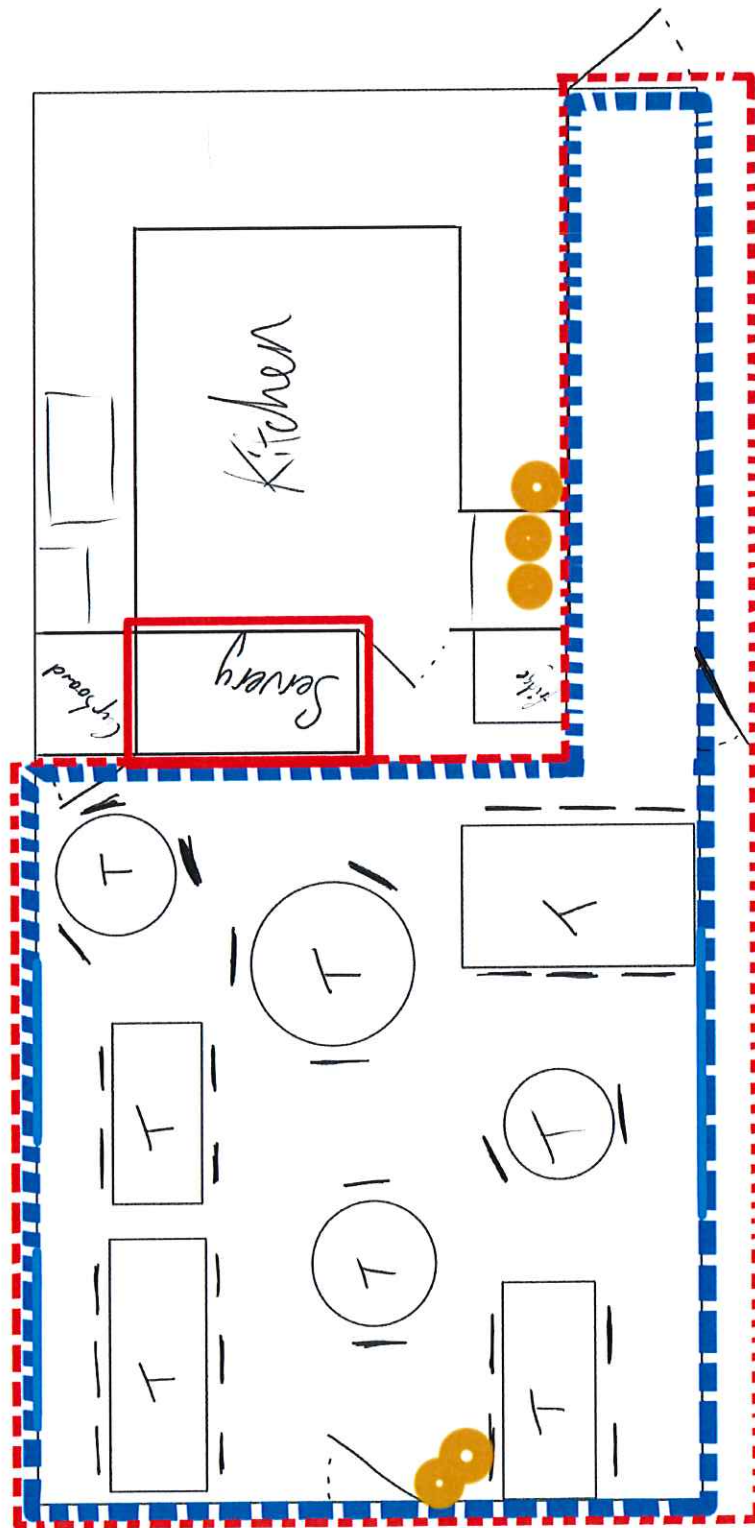


— Sale of Alcohol  
 - - - Consumption of Alcohol

— Windows

● fire blanket/extinguishers  
 - - - live & recorded music

# Cafe Plan

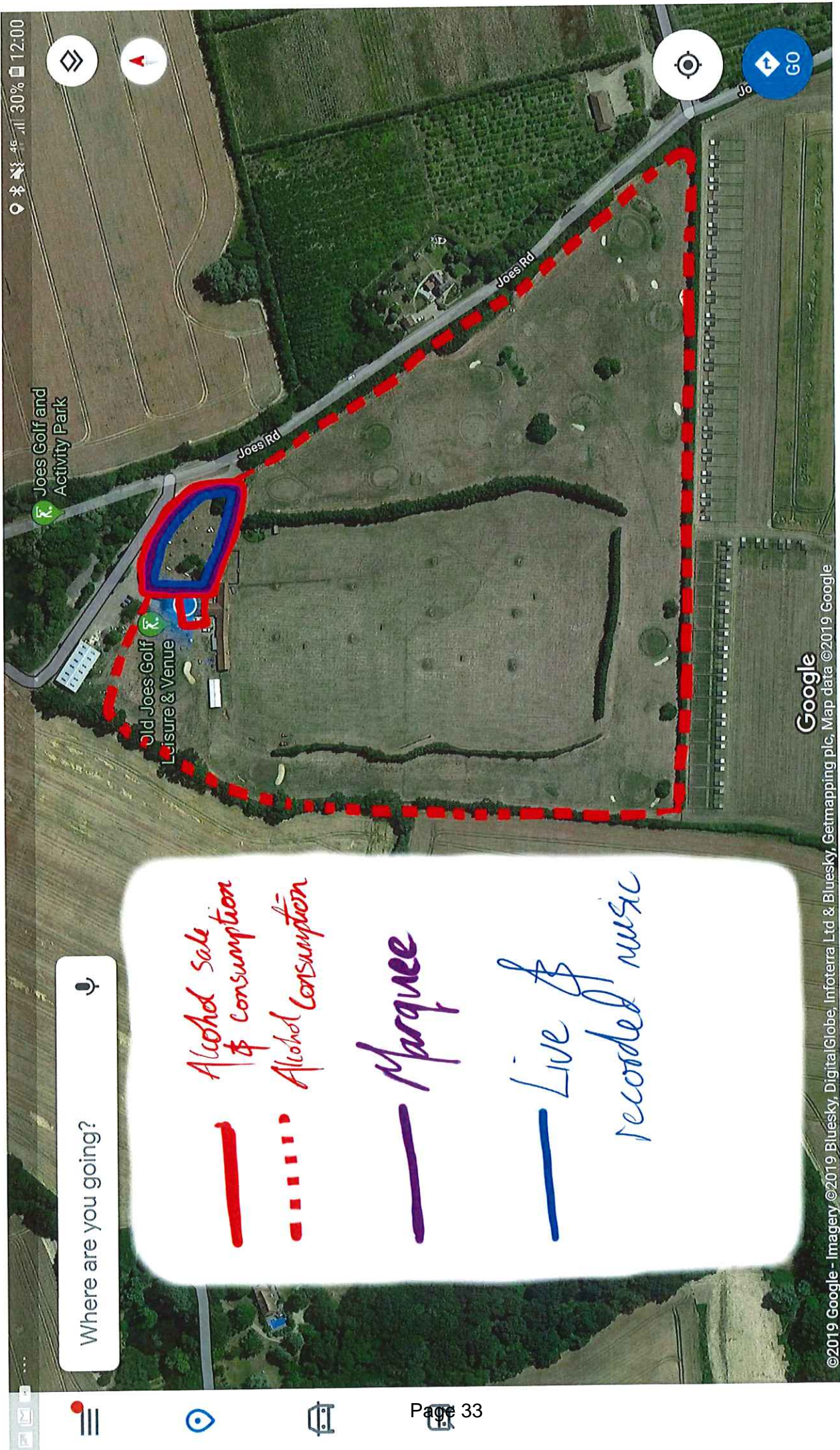


Main entrance  
 ↗

Golf reception







Where are you going?

— Alcohol sale & consumption

- - - Alcohol consumption

— Marquee

— Live & recorded music



Babergh District Council

Endeavour House

8 Russell Road

Ipswich

Suffolk

25 May 2019

Reference/Type: Section 17 –New Premises Licence

Premises: Quinton's Café Applicant: Quinton's Kitchen Ltd

To whom it may concern.

I am writing this letter to express my concern with the above application.

I have lived in Joes Road for the past six years, over this time I have noticed the volume of traffic has increased considerably bearing in mind it is no more than a narrow lane. The reasons for my concern are as follows: There will be an increase in traffic with people using a venue such as this and more so when many vehicles are leaving together at closing time, with the usual bravado and noise which is not uncommon with licenced premises , also the possibility of anti social behaviour, further more I do not want to have listen loud music when in my garden.



## BMSDC Licensing Team

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**From:**  
**Sent:** 17 May 2019 15:40  
**To:** BMSDC Licensing Team  
**Subject:** Quinton's Kitchen Ltd

Thank you for your response. I was merely pointing out that the applicant was attempting to obtain licences to trade outside the hours of business set in stone by a S.106 agreement sealed on June 1 2001.

**The site is situated in open countryside which is for the quiet enjoyment of residents and ramblers. Any noise and light disturbance would constitute a nuisance both during the day and in the evenings.**

The hours of business set by the Planning Inspector for the Driving Range and subsequently adopted for the Pitch & Putt on the insistence of the Planning Authority by the S.106 agreement was to specifically limit the disturbance likely to be suffered by local residents late in the evening by noise emanating from the planning unit and from vehicle movements. I do not consider that the Council will be able to limit the amount of traffic generated by a planning condition on this unclassified road therefore the licences applied for would be unsuitable because it will attract extra customers and traffic movements.

This will create disturbance, traffic noise and headlight annoyance late into the evenings and will spoil the quiet peaceful atmosphere enjoyed by residents, thus causing public nuisance.

**The site is unsustainable on highway safety grounds and is not a sustainable location as envisaged in PPG13. This would compromise Public Safety.**

The access road to the application site is clearly substandard in terms of carriageway width, horizontal alignment and lack of footpaths and has a wholly inadequate junction onto the A134; it is clearly unsuitable to cater for any significant increase in vehicular traffic resulting from the application proposals. The access roads lead from A classification onto a C road and then onto an unclassified road. There are no roadside footpaths in the area therefore forcing walkers into the road. This site has been assessed by previous a Planning Inspector as an unsustainable position and I can see no reason why this assessment would change for the proposed licences. There is no public transport serving the area therefore all customers would be using vehicular forms of transport.

I have had reports from residents of noise disturbance from the site caused by music and dogs. I have personal experienced anti-social behaviour (damage to my property and car) from patrons. All residents experience nuisance from vehicle movements but it is difficult to assess exactly the source, but any increase in traffic will undoubtedly cause extra nuisance.

## BMSDC Licensing Team

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**From:**  
**Sent:** 16 May 2019 20:00  
**To:** BMSDC Licensing Team  
**Subject:** Quinton's Cafe - New Premises License - OBJECTION

Dear Sirs,

We live at

We would like to strongly object to the proposal of granting a license to supply Alcohol ON Premises and Live & Recorded Music both Indoors and Outdoors.

Our house is next-door to the Golf Range albeit there is a fishing lake between our two properties, we feel the granting of the license will directly effect us in the following ways:-

1. The peace and quiet of the road that both ourselves and the other residents of the road bought our properties to enjoy will be broken by the playing of music through the day and into the night. We know this specifically as we can hear the dogs at the Golf Range barking in the day and the night.
2. We can also currently hear the activities at the Golf range including music, but have not been inclined to complain as it has been during the day.
3. We are very concerned that Joes road which is a narrow country lane with very few passing places and already suffers from motorists not sticking to the appropriate speed restrictions will now not only be busier, but will be significantly busier at night with no street lighting and therefore a significant increase in the hazard to pedestrians walking up the lane. We have already lost two pets to the traffic on the lane (other residents have lost more), although not specifically traffic going to the golf range that we know of, but an increase will obviously make the situation significantly worse.
4. The vast majority of the resident of Joes Road are well into retirement (we are an exception), and on a country lane without any pavements and with in the majority speeding traffic, I am not sure making that situation worse, will make their lives better.
5. We can only presume that the potential clients for the music and drinking at the venue will not be walking on the most part and therefore will be arriving and leaving by car, I think the potential for drink driving would be greatly increased, and Joes Road is a country lane that needs a drivers full attention to ensure they do not end up in the ditch that lines one side of the road.
6. If the potential clients do walk, the two most obvious routes back to the A134 and Sudbury at closing time go both past the front of our house and the back of our house, both would impact the peace and quiet that we enjoy, and would more than likely significantly increase the current level of littering that we constantly find outside our house.

In addition to this:

1. According to the planning statement the cafe onsite of the golf range was specifically allowed because it predominantly serves the customers of the golf range, I would be hugely surprised if this would be the case for a drinking and music venue, therefore I see this as a significant change in circumstances, and should go through further planning scrutiny.
2. According to the planning statement the golf range was given permission to provide respite care for adults with learning difficulties, we are not at all sure how having a music and drinking venue open until late into the night will help these residents.

Although we came across the blue notice on the telegraph pole opposite the Golf Range, we were extremely surprised that we were not directly contacted in the consultation process, and therefore we are concerned about who has been consulted, and that enough time has been set aside to get the true feelings of all of the neighbouring properties before a decision is made.

Both my wife and I are pretty liberal minded, and we felt the original plans put forward for the Golf Range were appropriate and a benefit to the community and therefore felt no reason to object or find fault. However, I truly feel this is a significant change and is at odds with the originally stated intention and frankly feel duped.



## BMSDC Licensing Team

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**From:**  
**Sent:** 21 May 2019 13:31  
**To:** BMSDC Licensing Team  
**Subject:** Quinton's Cafe Application Ref/type section 17. New premises License.

To the Licensing Team

As a resident of Joes Road, Cornard Tye and a neighbour of this establishment I wish to strongly object to the granting of this application. Joes Road is a quiet country road of only homes and farm land. The road itself is very narrow and has no pavements or streetlights. Whilst I have no objection to the golf driving range or activity centre itself, allowing an alcohol license on the premise completely changes its purpose. There would be much more traffic at nighttime and more risk to residents, their children and pets not to mention the wildlife which is abundant here. The noise of traffic as the place closes would be a disturbance every day. I suspect the temptation to drink and drive away from this quiet road would also increased risk of accidents here and on the busy A134.

I also believe that allowing live music at the venue, particularly outdoors, would ruin our peaceful hamlet. Given it is possible to hear an ice cream van jingle down in Great Cornard imagine what a disruption loud music so close to our homes would be. I assume that if the cafe is granted the license, it could in theory apply for extensions to it and offer itself as a party venue. There is already a marquee set up in the grounds which could be used for that purpose and then noise disruption would be appalling.

Anti social behaviour on our door steps will possibly result from granting these applications and as a resident and Council Tax Payer I urge the Council to reject them.

Sent from my iPad



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**From:**  
**Sent:** 20 May 2019 15:47  
**To:**  
**Subject:** FW: Quinton's Kitchen Ltd.

**From:**  
**Sent:** 20 May 2019 15:29  
**To:** BMSDC Licensing Team  
**Subject:** Quinton's Kitchen Ltd.

As a resident of Joes Road, I am writing to object to the issuing of an alcohol and music licence to the above applicant at Joes Golf and Activity Park, Joes Road, Cornard, Sudbury CO10 0NZ.

The grounds of my objection are as follows:

The golf range is situated down a winding single track road with very few passing places which means cars have to reverse for quite some distance around bends in the road in order to pass each other. The increase in traffic flow if this licence is issued will be a danger to local residents and their families accessing their houses as there is **NO** street lighting and **NO** pavement on either side of this single road.

The increased traffic flow at night will create noise disturbance for the houses along the road. Houses are mainly bungalows with bedrooms situated at the front of the premises. These premises do not have boundaries onto the road and it is possible that cars will drive over gardens when two cars meet going to and from the golf range.

The golf range has received planning permission to include a respite centre for adults with physical and learning difficulties [as yet this has not been built.] I would have thought the increased noise pollution would have a detrimental affect on the wellbeing of any prospective users of this facility, as I am sure they and their carers value the quiet countryside site as a peaceful area where there is space for them to stay in a safe environment. The issuing of an alcohol and music licence would seem detrimental to this aspect of the golfing range business, placing the adults in a vulnerable position as regards safeguarding issues.

The noise pollution would disturb neighbours along Joes Road as if music is played inside or outside the marquee it will be easily heard, as there are really no other buildings in the vicinity to stop the noise traveling over distance.

I would ask the council if they would have issued approval for a public licensed premises/restaurant at this site if this had been applied for initially as this seems to be what will be happening if an alcohol and music licence [indoors and outdoors] is approved. I cannot stress strongly enough that this is not the area for a public house to be situated.

Thank you for taking into consideration this objection and I look forward to receiving a response from yourselves.

Martin Cushway  
Orchard House  
Joes Road  
Cornard Tye  
Suffolk  
CO10 0QB

Licensing Team  
Babergh District Council  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk  
IP1 2BX

17th May 2019

To whom it may concern

Ref: New Premises Licence re Quinton's Kitchen Ltd

Please find detailed below my objections to the above application:

- I live within a couple of hundred metres of the golf range. At present I can hear their dogs barking and I hear music noise and noise from people especially when they are holding parties for children. As I am at work most week days I only find the current noise level a nuisance at the weekends during the day as there currently is little or no activity at the site in the evenings. The noise from live and recorded music, people and traffic will be horrendous if this application is passed. Even if the music is inside (the marquee???) the noise from the cars, people and music will be very intrusive and will have a huge impact on my day to day quality of life.
- It will cause great problems with traffic. This road is not designed for the extra vehicles that would no doubt be coming up and down the road to attend the site. There is barely room for 2 cars to pass along the majority of Joes Road and in many places it is single carriageway. How would the road and residents cope with this large amount of extra cars etc that will be coming up and down the road all day and into the evening?
- Alcohol inevitably leads to antisocial behaviour. Even if this is just in the form of noise from people talking loudly/shouting/driving fast/revving car engines, it will intrude on our daily lives from 11am in the morning until after 10.30 in the evening, seven days a week.
- There are children, elderly people, people with pets and people who like walking along Joes Road. If the site gains a licence for alcohol and music there will inevitably be a huge increase in the number of vehicles using Joes Road. How on earth will the families with children, the elderly and residents who go for walks cope with this extra traffic when there are no pavements or street lighting. This strikes me as being incredibly dangerous, especially in the winter when it is dark from early afternoon.
- My understanding is that, at present, the site is used for children and adults with special needs as well as for childrens birthday parties. Surely they are all at risk if the site is also being used as a drinking and music venue?
- The site itself is not even close to being suitable for this kind of venue and I would be incredibly concerned for the safety of those using the site, especially the children who are there for parties etc as well as those who are using the golf range to play golf.
- I feel my own safety will be at risk for the following reasons. 1. I will have to try and avoid using the road I live on when the venue is busy as I do not believe that the road is in any way suitable for the increase in traffic and I will be very concerned that myself and any visitors I have will be at risk from this increase in terms of potential accidents and damage to our vehicles. 2. We will have more and more people coming along this road which will automatically open us up to potentially more crime.

- I feel the increase in traffic, and therefore people, to this area will inevitably create more litter and vandalism. People who don't live here will not worry about dropping their rubbish here etc but we will have to live with it. This will be an incredible and depressing nuisance that the residents will have to deal with themselves as I doubt the owner of the golf range will be prepared to clear out the ditches of the rubbish that her customers will more than likely dump here.
- The end of Joes Road leads on to the A134. If the site has numerous vehicles leaving at the end of an evening/event how on earth will they all get out of the road safely and without disturbing all the residents? We are talking about possibly dozens and dozens of cars all leaving the site at the same time. How will we all feel as they queue up past our houses after 10.30pm at night waiting to get onto the main road? It will be an awful and distressing nuisance to all of us along Joes Road and dangerous with regards to them joining the A134 as no doubt impatience and a drink or too will add to the increased risk of serious accidents.
- This is a quiet country road (which is probably why most of us moved to this area). Surely granting them this licence will create a huge public nuisance for us residents and our family and friends who visit us.

I am extremely concerned, upset and worried about the impact that granting them a music and alcohol licence will have, not only on my own safety but also on the safety and security of the other residents. The surrounding area will almost certainly be affected in a negative way and the road will become too dangerous for those of us who live here to want to use it. In summary I feel that were the licence to be granted I would no longer want to live here and I think most of the residents will feel the same way.

Thank you for taking the time to read this. I would very much appreciate a response if at all possible, to each of the points raised in my objection.

Yours sincerely

Martin Cushway



**For your information:**

Vanessa Rayworth/Woodward is a director of a company called Jodieland with a registered office address of Joes Golf and Activity Range, Joes Road, Sudbury CO10 0QB and I understand that she is the owner of the entire site. Martin Quinton is General Manager of Quinton's Kitchen Ltd and has been running the cafe at the site since late 2018.

Licensing Team  
Babergh District Council  
Endeavour House  
Ipswich  
IP1 2BX

3rd June 2019

Dear Sir/Madam

Ref Application for grant of new premises licence re Quinton's Kitchen Ltd, Joes Golf and Activity Park, Joes Road, Cornard Tye CO10 0NZ

With regards to the above application I would like to add some information regarding noise and antisocial behaviour relating to the golf range.

**Noise:**

We consistently hear noise from the dogs barking that live at the golf range. This occasionally goes on into the night and can be a nuisance. For example, Saturday June 1st we went to bed at approx 22.30. Windows were open in our bedroom (as it was a warm night) and we could clearly hear Vanessa Rayworths dogs barking until about 22.50.

We also often hear noise from the golf range when they have parties, in the form of music, shouting, screaming (children having fun) and laughing. We have never felt that it would be appropriate to complain as it is fairly low level noise and rarely, if ever goes past 5pm.

**Antisocial behaviour/public safety issues:**

Mrs Rayworths dogs are often seen roaming around the road outside the golf range and in the fields opposite completely unattended which is very dangerous, not only to the dogs but to passing traffic that may swerve to miss them as they wander down the road. This has been an ongoing problem and when it was mentioned to Mrs Rayworth she said that the dogs could get out through the fence. It was mentioned that maybe the fence could be repaired or the dogs could be kept in an enclosure but this does not appear to have happened.

Earlier this year I found one of the dogs in the road, and being concerned for its safety I went over to it so that I could take it back into the golf range. The dog growled at me but I managed to entice it back within the golf range boundary. I told Mrs Rayworth that I had found the dog in the road. She thanked me for bringing it back to her and said she was surprised I had managed to get near it as it can be funny with people.

Some months ago (possibly late 2017 or early 2018) I was walking along Joes Road with our dogs when I heard a car coming along the road (from the direction of the A134 which is all 30mph). By the noise of the car and the way it was gaining on me I could tell he was exceeding the speed



limit (I would estimate somewhere between 50-60mph). I moved out of the way of the car but still felt extremely concerned for my safety, and that of my dogs, due to his excessive speed. I walked up to golf range and called out to the man and asked him (politely) if he would slow down a bit whilst driving along Joes Road. Basically he swore at me, told me it's a 60 mph limit and that he could drive how he wants, he then started to advance physically towards me whilst still using aggressive language so I quickly moved away as I was concerned for my safety and I continued with my walk. (Joes Road is 60 mph once you get alongside the fishing lake although he was definitely speeding before that and I would not recommend doing 60mph anywhere along Joes Road due to visibility issues, width of road, state of road etc). I do not believe that this man was any way associated with the golf range other than being a visitor to the site and feel his driving is a good example of what we regularly have to contend with when people come along Joes Road who are not locals. This will undoubtedly get worse with more and more traffic.

The current state of the site, including disposal of waste is a public nuisance and potential danger. It is overflowing and easily accessible to rats and other animals. According to Babergh website, all waste should be kept secure until it is collected. Waste should be kept in a container secure enough to stop people, animals, accidents or weather interfering with it. See photograph.

We received a letter from Martin Quinton on Wednesday 22nd May, inviting us to attend a meeting with him on Friday 24th May from 6pm until 6.30pm. His letter implied he wanted to put our minds at rest regarding the licence application. During the meeting he stated that Vanessa Rayworth had not maintained the marquee or erected it correctly and that he was in the process of trying to fix it - I have evidence that the marquee has been used, by children, on at least 3 occasions last year, before Martin Quinton had any involvement at the site, and would consider it to be a danger to public safety.

We organised with Martin Quinton to have another meeting on Friday 31st May at 2pm. When we got there Vanessa Rayworth told us the meeting was cancelled and we were not welcome at the site. Martin Quinton stated that he had held the meeting on the 24th to try and stop any objections but as there have been objections there was nothing else he could do. Vanessa Rayworth accused us of stirring up trouble and of trying to shut her business down. From our point of view this is anti social behaviour as we now have a neighbour who we tried to have a civil meeting with, but who refused, because, in her words "It's pointless, you are stirring up trouble and complaining". Martin Quinton told us on 24th May that we could call him and let him know of any problems and he would listen (once his events are up and running) and he was, at that point, open to listening to our concerns. After speaking to them on 31st May it would appear that is no longer the case. As a result of the short conversation we had with them on 31st May I would seriously doubt that they will listen to any issues we have with noise, anti social behaviour etc at the site if the licence is granted and they start holding events there. Our only option then is to contact the relevant department within the local council which is costly to the local authority but if they are not prepared to listen to us at this point I doubt that will change as the business moves forward/expands.

Earlier this year Vanessa Rayworth went to Mr [redacted] house and accused him of ripping off and removing 2 'golf range and cafe' signs that had been fixed over the top of the already existing brown tourist information 'golf driving range' signs. She used aggressive language and refused to accept that Mr [redacted] was not responsible.

The most serious issue, however, is an act of vandalism and criminal damage to a neighbours car and property [redacted] whereby the C word was spray painted onto the bonnet of his car and the word 'cafe' and an arrow (pointing in the direction of the cafe) was spray painted onto his garage.

After this incident, myself and another neighbour ([redacted]) went to speak to Vanessa Rayworth as representatives of the Cornard Tye Residents Association to try and form a good relationship with her, as we were concerned about the criminal damage to Mr [redacted] car and garage. Whilst we were at the site we spoke to both Vanessa Rayworth and Martin Quinton (who is managing the on site cafe and who has applied for the live/recorded music and alcohol licence). They both accused Mr [redacted] of removing various signage that they had put up signposting the cafe and



Vanessa Rayworth was very angry that Mr [redacted] had objected to her planning application in 2017.

Martin Quinton and Vanessa Rayworth were convinced that Mr [redacted] was responsible and nothing we said could convince them otherwise. Martin Quinton and Vanessa Rayworth stated that they knew it was Mr [redacted] because they had seen the removed signs on Mr [redacted] property. Mr Quinton remarked that Mr [redacted] had an issue with signs as he had a stash of them behind his garage. I subsequently went to look behind Mr [redacted] garage and the only 'sign' he had there was a flood warning sign that had been left along the road. My understanding is that Mr [redacted] informed the highways agency that they had left the flood sign and they have not collected it yet. I then went in search of the removed brown signs and found them in a ditch about 20 meters from the edge of Mr [redacted] property and approximately 100m (in a ditch out of sight) from where Martin Quinton and Vanessa Rayworth told me that the signs were.

Whilst Martin Quinton and Vanessa Rayworth stated that they did not know who had vandalised Mr [redacted] property, Vanessa Rayworth went on to say that it could have been one of her customers as she had told them about Mr [redacted] objecting to her planning application and taking down their cafe signs and they may have reacted to what she has told them by vandalising Mr [redacted] property.

In short, she admitted that it could have been someone associated with the golf range.

Mr [redacted] is, understandably, exceedingly concerned as he wishes to object to the licensing application but is worried (as are many of us who also wish to object) that there may be repercussions in the form of damage to property, vehicles etc.

I enclose photographs of the damage caused and apologise in advance for the offensive language.

The police have been contacted with regards to the above but did not take any action.

Other issues that relate to the current planning and use of the site:

- 1) The signage they put up/new signage that is up does not have the relevant permissions from the relevant authorities.
- 2) The marquee on site has been up for over a year without relevant planning permission (see photo). On 31st May 2019 Vanessa Rayworth stated "I've seen the enforcement officer about that 12 months ago. You're 12 months too late". I have looked again at the planning portal and can find nothing relating to a marquee at this site. I there any way of finding out which enforcement officer went to the site 12 months ago and why no action was taken?
- 3) Vanessa Rayworth is living at the site without change of use permission from planning (under the excuse of needing to be there for security).
- 4) They are planning to open later than specified in the S106 that still applies to the site.
- 5) Vanessa Rayworths application planning statement says 'Whilst there is an existing club house on site, which provides a very small 'café' facility for the current golf range, which will remain as existing being used by the golf fraternity only.' This is currently not the case as they have many customers who are not golf range customers, and goes against what was granted re planning in March 2018. They are advertising the cafe in a local village magazine and on facebook which, again goes against the current planning for the site.
- 6) Construction on the barn was started many months ago but appears to have come to a standstill. The noise of the construction was intrusive but as it was kept to within the boundaries of Mon - Fri, 8am-5pm and as it was a temporary disturbance, we would never have complained. My concerns here are that the site will just remain like a building site for the foreseeable future which not only is unsightly but is also dangerous and shows a lack of business acumen in terms of completing one project before starting another. The respite centre that I planned on the same site as the live/recorded music and drinking venue is a concern. It does not make any sense (financially or in terms of safe guarding vulnerable adults) to build a respite centre on the same site



(within about 40m) of a live/recorded music and drinking venue. No parent or guardian of a vulnerable adult would even consider respite care at this site is the music and drinking venue goes ahead. I would, again question the business acumen and ability to complete a project which may ultimately leave the site in a worse state with no hope of success.

- 7) Their waste is not secure and relevant waste is not being recycled as per the planning application. See photo.
- 8) Due to the damage to Mr [redacted] car and property we are concerned that we may too suffer retaliation if we object to this licence (or any future plans) or (if the licence is granted) if we complain either directly to Martin Quinton or to a relevant authority.

In light of this I am concerned that there is a lack of understanding with regards to licensing, planning etc and I would be worried that, if a licence is granted, there may be continuous flouting of the conditions laid out in the licence (intentionally or unintentionally).



Taken at 05.29am on 22nd May 2019 showing waste in an open bin on edge of site - easily accessible to rodents etc



Taken at 05.27am on 22nd May 2019 showing Vanessa Rayworths car and marquee

Thank you for your time in this matter  
Yours sincerely





Mr car and garage with arrow pointing towards golf range.



Damage to (potentially unauthorised) brown information sign that they are accusing Mr of removing.



Licensing Team  
Babergh District Council  
Endeavour House  
Ipswich  
IP1 2BX

3rd June 2019

Dear Sir/Madam

Ref Application for grant of new premises licence re Quinton's Kitchen Ltd, Joes Golf and Activity Park, Joes Road, Cornard Tye CO10 0QB

### **Overview**

Joes Road is a residential road in a rural area just outside Sudbury - see appendix F. The road itself is unclassified (number U8625) and is classed, according to OS map 196, as a road 'generally less than 4m wide'. There are approximately 35 houses within Cornard Tye and Sackers Green. There is a very small amount of lite industry towards the Sackers Green end of the road and the rest of the surrounding area is given over to orchards and arable farming.

### **Objections**

1. Joes Road is, on the whole, a single carriageway road with passing places. Along with the extra traffic generated by their potential customers (which we can only guess at at this point but I would make an educated guess at between 15 - 45 cars per night), there would also be an increase in lorries/vans delivering stock and equipment (for the live/recorded music and drinking venue). I do not believe that the road will cope with the expected increase in traffic if the above gets the go ahead (see appendix A, B, C & D) . The road is not well maintained (see appendix G). There is a ditch that runs all the way along one side of the road. Visibility in some places along the road is poor due to overhanging trees, overgrown hedgerows and bends in the road that do not allow you to see beyond them (See appendix A, B, C & D). I believe the increase in traffic will inevitably lead to accidents and should be seen as a serious public safety issue.
2. We live less than 200 metres from the Golf Range which is the site of the intended live/recorded music and drinking venue. There is a fishing lake between our home and the Golf Range - see appendix H. We will be subjected to noise pollution from the music (be it inside or outside), from the traffic and from the customers using the site, if the licence is approved and, as sound is amplified across water, it will be particularly difficult for us to sleep as our bedroom is next to the fishing lake, which is next to the Golf Range - see appendix H and map. Regardless of the proposed finishing/closing times of 22.30 Mon-Sat and 21.00 on Sunday, the noise from the site will continue way past this time as you need to factor in last orders being at 22.30 or 21.00 - will Martin Quinton honestly be able to guarantee that customers won't buy several drinks with a view to staying at the site for longer while they finish their drinks? They will then probably need the toilet before they leave and there are only 2 toilets on site so this will delay them leaving the site. They then have to get out of the car park and along the road which will also take time as there is only the facility for one car to leave at a time and the road is not wide enough for 2 cars so if someone is coming the other way it could cause hold ups therefore continuing the noise pollution well past the 10.30 and 9pm finishing/closing time ( I would estimate the noise could easily continue for an hour or so after finishing/closing time). I know the noise for us, the local residents and our visitors will be unbearable and distressing and I consider this to be a public nuisance and an issue of public safety if you take into account that our mental health and wellbeing will be adversely affected.



3. At present, I understand that Vanessa Rayworth lives at the site with her daughter who has a learning disability. The site is currently used as a golf range (on a turn up, pay and play basis) and they also have foot golf which is predominantly used by adults with learning difficulties and children, some of whom also having learning disabilities. They have parties for groups of children and vulnerable adults. Vanessa Rayworth is planning to build a respite centre at the site for adults with learning difficulties (confirmed by her on May 31st that the respite centre will definitely be built). The area where the respite centre is going to be built is very close (approx 25m) to the cafe and the marquee (the areas covered by the licence application). The vulnerable adults who would be using the respite centre will be exposed to the consumption of alcohol, the danger of increased traffic, the danger of anti social behaviour from customers who may drink too much, as well as being subjected to the increased noise that will continue late into the night. I believe, that as vulnerable adults, they will be at risk and this should be a real consideration of whether or not the site should gain an alcohol and music licence. As a member of the licensing team, I would recommend seeking advice from the Safeguarding Officer with regards to the above.
4. There are families with children along Joes Road, elderly people living here as well as people with dogs (and cats) and people who enjoy walking. At present the road is quiet with infrequent traffic. The increase in traffic would pose a significant danger to public safety for all of those residents and visitors who venture out of their properties onto the local footpaths (there are no pavements or street lights along any part of Joes Road).
5. I believe the increase in traffic would create a public nuisance for those who live here and those visiting residences in this area. If, for instance, the live/recorded music and drinking venue closes at 22.30 I would assume that most of their customers will be leaving in cars or taxis at the same time. As per point 1, I think it would be reasonable to guess that between 15 - 45 vehicles could all be trying to leave the site at once. Other than the danger mentioned in point 1, I also think this would constitute a public nuisance for the following reasons:
  - A. If any residents or their visitors are trying to access or leave properties in Cornard Tye at the same time as opening and especially closing time, I don't think we would be able to do this with this amount of traffic streaming past. I would imagine we could easily wait 10-15 minutes or so just to access or leave our own properties.
  - B. As the traffic queues to get out of the Golf Range, to get onto the northern part of Joes Road and onto the A134 there will be noise pollution.
  - C. As per point b, there will be pollution in the form of carbon monoxide, hydrocarbons, nitrous oxides, carbon dioxide, and particulates from the queueing traffic, which is particularly dangerous to children and people with pre existing medical conditions.
  - D. Some of their customers may get angry with residents if we are (unintentionally) blocking their exit as we try to access our properties - this will put us in danger of road rage incidents.
6. Due to the increase in visitors to the area I think it is inevitable that we will suffer from more crime and disorder for the following reasons:
  - A. With more people coming along Joes Road we will automatically become more vulnerable to opportunistic crime (theft, vandalism).
  - B. Customers will be drinking at the site which will almost certainly lead to anti social behaviour be it in the form of abusive language/behaviour, increased noise (shouting/ fighting/talking loudly as people do when they have been drinking and their ears are singing from the loud music), littering and damage to property (whether intended or accidental).
  - C. There will be people who will drink and then drive, not only is this a danger to the public but it is also a crime and a public nuisance. There is no police station in Sudbury, we are served by Ipswich so there is little or no police presence in the local area for us to call on.
  - D. As per point 5D - residents are vulnerable to road rage if we are seen to be in the way of people leaving the site (if we or our visitors are trying to get home/go out in a car/are walking/cycling etc along the road).



7. This area is a haven for wildlife including badgers, foxes, deer, hedgehogs, bats, barn owls, ducks and moorhens. The ducks and moorhens are often seen crossing the road from the lake to the fields opposite. With the increase in traffic this wildlife will be under significant risk which I think is a public nuisance and a potential danger to the public as customers to the site may swerve to miss the wildlife and injure themselves or others.
8. The increased lighting that will be needed at the site will be a public nuisance to all residents as it will create light pollution. This light pollution will also have a potentially devastating affect on the local wildlife.
9. In the summer months we and other residents take our dogs out for walks late into the evening as it is cooler then. The increase in traffic would make this very dangerous and would therefore be an issue of public safety.
10. The high volume of traffic that would be using the site would mean that residents front gardens would be driven over to avoid oncoming traffic or just through carelessness and lack of concentration (after a night out). This is a public nuisance and a public safety issue to residents, their visitors and customers leaving the site. See appendix E
11. As the site becomes more popular and has return visitors, some of them will avoid having to queue to get out of the site by parking along the road. When this happens it will constitute a danger to public safety by blocking access to emergency vehicles and will also be a public nuisance by blocking the road to residents and their visitors.
12. With regards to the site itself, I do not believe that it is fit for purpose in respect of a live/recorded music/drinking venue. There is a small cafe at the front of the building, then through to a small reception area beyond which is an office and living quarters. There is a marquee on site that has been there for some time and an incomplete barn. Due to the nature of the building (with regards toilet facilities/fire regs etc) I do not believe it could currently house any type of music/drinking venue safely and the site itself has building materials, building equipment, a disused heating oil tank and what appears to be piles of rubbish which are all easily accessible by members of the public, and all of which are a danger to public safety (please note that the planning permission for the barn was for the following: To store and aid collection of waste & storage and maintenance of mechanical equipment used for maintenance of the golf range site.) Martin Quinton said on Friday 24th May that Mrs Rayworth had not maintained the marquee or even erected it correctly - this could be incredibly dangerous to those using it. See appendix I.
13. The whole idea of a live/recorded music and drinking venue with no public transportation links along a road that is not fit for purpose is not only a public safety issue but also a public nuisance issue as it will create many more unnecessary car journeys that are damaging to the environment, and therefore the public and will create more risk of danger in the form of road traffic accidents.

I have included an attachment concerning antisocial behaviour and noise relating to the golf range. I understand that I could ask for anonymity with regards to this but I feel that I would not be happy with this. If there are any issues arising from this or from my objections I will contact your department with the details.

Thank you for your time in this matter.

Yours sincerely



Appendix A

View of Joes Road from Golf Range exit facing towards residential area (north)



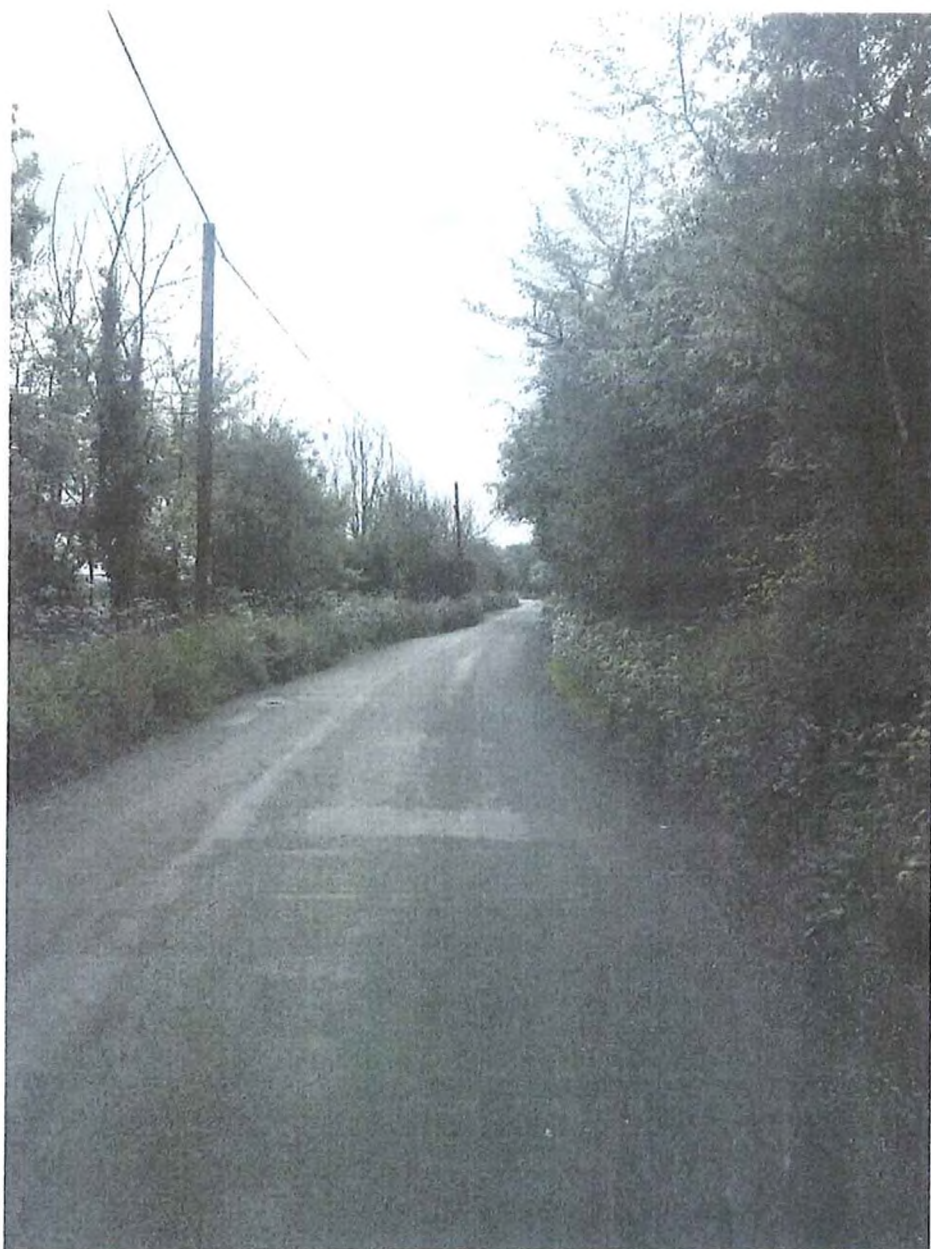


Appendix B  
View of Joes Road from Golf Range exit facing toward Little Cornard (south)



## Appendix C

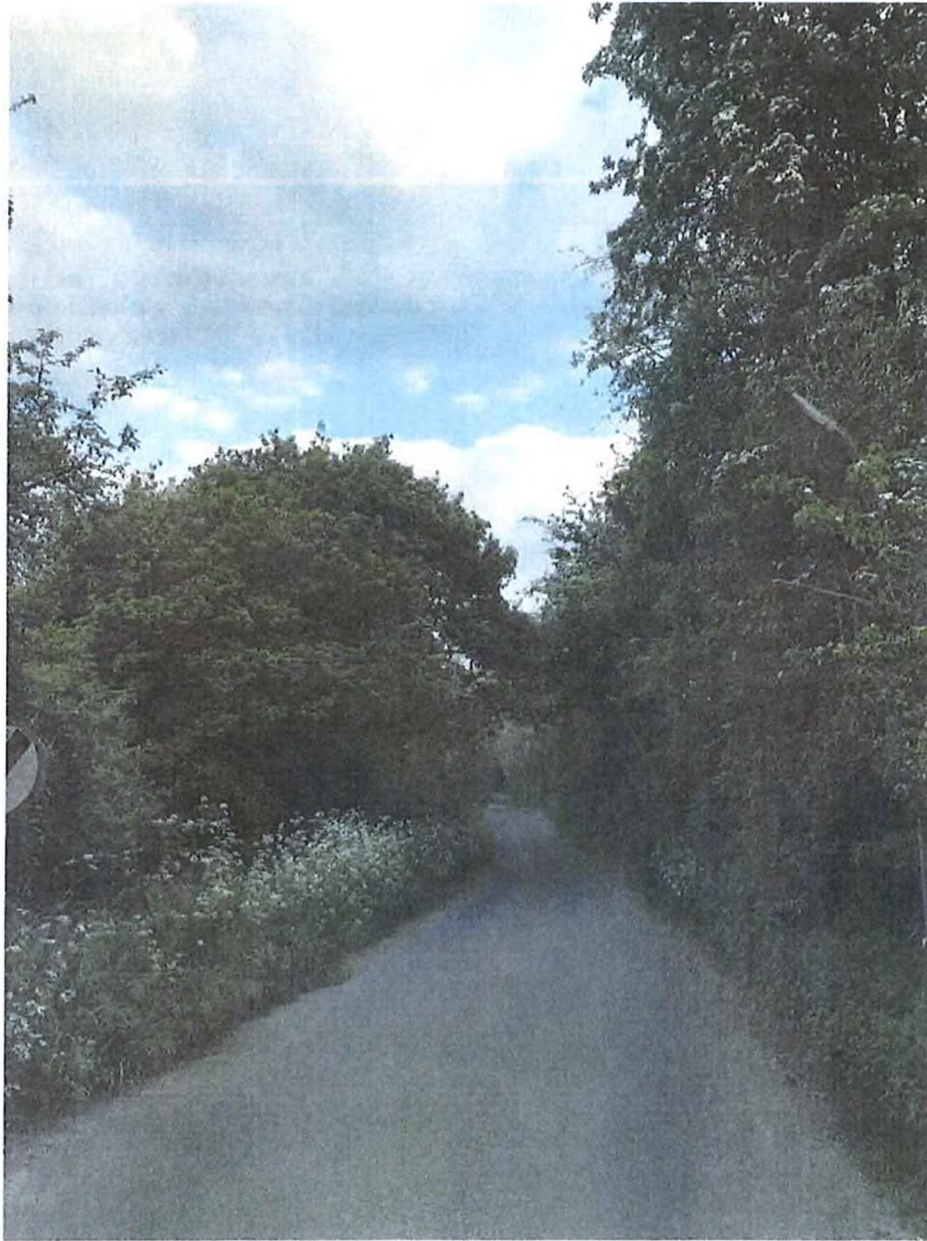
View of Joes Road from the fork in the road - facing south - a short distance from the A134





#### Appendix D

After the end of the houses along the part of Joes Road where we live, the road gets even narrower and this is where all the traffic would be going in order to access the site.



Appendix E  
Showing the edge of residents properties along Joes Road.





Appendix F  
Fields and orchards that neighbour the site





Appendix G  
Example of current state of Joes Road





Appendix H

View across fishing lake towards our house. Taken from the track that runs up the side of the golf range - see map below.





#### Appendix I

Current state of property including incomplete storage barn, various items of what appear to be rubbish, including wood, plastic, cardboard, patio slabs and an old heating oil tank. These areas are all currently accessible by anyone who visits the site.





## BMSDC Licensing Team

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**From:**  
**Sent:** 05 June 2019 17:09  
**To:** BMSDC Licensing Team  
**Subject:** Licensing Application Quinton's Kitchen Ltd, Joes Road

Good afternoon,

Great Cornard Parish Council would like the following representation to be taken into consideration by the Licensing Committee.

The location of the café is in quiet open countryside, which the Parish Council believes should be maintained for the local residents to enjoy.

The potential noise disturbance caused by live and recorded music being played until 10.30pm would likely create a considerable disturbance to the local residents who are used to a quiet enjoyment of the area. The Council is also concerned about increased traffic movements along an unclassified road.

The Parish Council has a longstanding policy that there should be no further development to the South and East of Great Cornard to ensure its vision of a 'green belt' from the Newton Road to the Bures Road to prevent urban sprawl consuming Cornard Tye, Newton Green and Little Cornard. The Council believes that the granting of a live music licence and subsequent outside events would be detrimental to the area and the council's policy to maintain a greenbelt.

Kind regards

*Nadine C. Tamlyn, Council Manager  
Great Cornard Parish Council  
The Stevenson Centre  
Stevenson Approach  
Great Cornard  
CO10 0WD*

## BMSDC Licensing Team

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**From:**  
**Sent:** 05 June 2019 17:19  
**To:** BMSDC Licensing Team  
**Subject:** Objection to Quintons Klitchen Ltd Application

Dear Sir/Madam,

RE. Quintons Kitchen Limited, CO10 ONZ

Pursuant to the notice which I have recently seen affixed to a post on Joe's Road I wish to object to the proposed licensing of premises for outdoor music and entertainment on the ground that if permitted, the noise created from the premises will be a nuisance at my premises at Abbas Hall, Cornard Tye, Sudbury Suffolk.

Abbas Hall, is a Grade 1 listed property and is separated from the golf club and driving range by a single field. The area is quiet and rural. Any outdoor music or entertainment with amplification – as is clearly intended – is likely to cause a noise nuisance to my premises which should not be permitted. Because the area is so quiet and the only thing that separates my property from the Golf Club is a field of wheat sound will carry very clearly to my property. I will be able to hear it indoors and outdoors even with windows closed. It will interrupt the quiet enjoyment of my home and the amenity of my property. There is no proper justification for allowing outdoor entertainment and amplified music being played outdoors in such an isolated rural area.

There appear to be plans to use a marquee without any soundproofing, or simply play the music through outdoor speakers. All such music will be clearly be heard at my premises across the single field that separates our properties.

I cannot believe that to permit such an application is consistent with the planning designation of the area. Moreover, given that Abbas Hall is a Grade 1 listed building which requires special protection, noise nuisance on a regular basis is really not acceptable as it will harm the special heritage value of the property.

In short this application should be refused on grounds that it is likely to cause a noise nuisance. So far as I am aware there has been no acoustic or other evidence to demonstrate that these activities can be carried on without causing an inevitable nuisance and in such circumstances would clearly be impermissible.

Nor is there any pressing social or other need to permit outdoor music at this venue.

Please take these representations into account along with other objections.

Kind regards

**Jeremy Hyam**  
QC

Licensing Team  
Babergh District Council  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk IP1 2BX

27 May 2019

Dear Sir/Madam,

Reference Type Section 17 New Premises Alcohol Licence  
Applicant – Quinton's Kitchen Ltd  
Located at Old Joes Driving Range, Joes Road, Cornard Tye.

I refer to the above application and would register my objection based on the following grounds.

There are also inconsistencies in the application and planning issues surrounding this matter which require investigation, clarification and decisions made by the Planning Department at Babergh District Council – these will follow the undernoted objections.

#### Objections

1. This will lead to an increase in traffic to and from the site. Joes Road is effectively a single lane unclassified road with irregular passing places. Damage has been caused to the road verges and household drive ways by existing traffic volume passing one another on the road.
2. The road is a major concern to local residents for the safety of the many walkers (with children and animals), joggers, cyclists, and horse riders who use the road as well as the high speed of the existing traffic which already includes cars, vans, heavy lorries and agricultural vehicles.
3. The rural road has no street lighting, has no pavements and in places no safe verges to access. This adds to the safety concerns.
4. With the opening hours stated on the application (see also planning issues below) there are concerns about noise pollution not only from the additional traffic generated but also from the indoor and outdoor music (live and recorded). The site is in open countryside on elevated ground and sound travels easily and widely. Examples of non-countryside sounds that residents can already hear are trains arriving and departing from Sudbury Railway Station, ice cream vans in Great Cornard and functions with outside music in Great Cornard all of which are much further away.

5. Vehicle and music sounds with the opening hours indicated can be expected to generate unwelcome noise during unacceptable periods of the day and late into the evening. Live and recorded music in particular, whether used in a building or outdoors, would impact on local countryside tranquillity.
6. There has been recent malicious vandalism and anti-social behaviour in and around Joes Road over the last approximately two years such as criminal damage to vehicles and property (reported to the police), nails scattered on the road on several occasions, broken glass on footpaths and the damage to and removal of road signs. Residents are concerned that the local sale of alcohol could increase these problems.

Secondary and Planning issues to be taken into consideration

- a) As determined by Babergh District Council Planning Department (BDCPD) in a letter dated 7 March 2000, the opening hours of the Old Joes Driving Range should be – Monday to Saturday 0900-2030 hours and Sunday 0900-1800 hours. These are not reflected in the extended hours shown on the licensing application which would indicate business expansion and divergence between the café and the driving range/pitch and putt.
- b) Following lengthy investigation, it was determined by BDCPD in a letter dated 8 October 2004 regarding the coffee and snack bar that “If, for instance, the great majority of customers at the coffee shop were customers of the driving range or pitch and putt also, then the introduction of this use would not constitute a material change of use and would not need planning permission.” With the hours indicated on the licensing application and the roadside advertising in the vicinity, reliance on customers of the driving range and pitch and putt will be diminished and planning permission for the café will be required.
- c) Should such a planning application for the cafe be submitted I understand that this would be refused by BDCPD as the Local Plan policy CRO1 is designed to give protection to the countryside and restricting development to that essential to agriculture, forestry and horticulture. Certain developments including catering establishments should not be permitted. The site is also part of a Special Landscape Area.

In view of the above comments I trust that you will appreciate the unsuitable nature of this application which involves alcohol, music and planning issues. I urge refusal of this application.

Yours faithfully



Babergh District Council  
Licensing Team  
Endeavour House  
Ipswich  
IP1 2BX

4<sup>th</sup> June 2019

Dear Sir / Madam - Licensing Team

**Ref: Application for grant of a new premises license – re  
Quinton`s Kitchen Ltd, Joes Golf and Activity Park, Joes Road,  
Cornard Tye CO10 0QB**

I wish to submit my objection to the above application on the following grounds:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm and other vulnerable persons
- The Crime and Disorder Act 1998, Anti-Social Behavior, Crime and Policing Act 2014

The C&D Act 1998 places a responsibility on local authorities, parish and district councils to take into consideration the impact of crime & disorder and anti-social behavior when carrying out any of its functions.



This facility has never had the need for an on or off premises sales of alcohol and a music license due to its use. This use has not changed and the need for golfers to be offered alcohol after playing golf as requested by the applicant is inappropriate. The place is only a short nine- hole pitch and putt course, with most players only being there for between 1-2 hours; unlike at a golf club where play takes between 3.5 – 5 hours. The driving range again would only have golfers being there for at most an hour. I believe the café only has a maximum of 30 covers at most. The site is visited by many children in company of parents to play splat ball, golf and foot golf. The introduction of alcohol in this small café is not justified. With most of the clientele visiting the premises by car, it would send out the wrong signals to children that's it's ok to drink and drive. Then there is the issue of children of sufficient age to cycle to the site and partake in any sport, could on completing their chosen activity, enter the café and sit among adults drinking alcohol. The original purpose of the café, as stated in planning applications, was for the purpose of giving light refreshments to participants of the golfing activities. Planning laws have been flouted as they are now advertising the café to persons other than golfers.

This application is being made solely to increase the size of the café and for outside events such as parties and wedding receptions. Holding events in a marquee adjacent to a small lake that is fished at night will cause a nuisance to fishermen/women and residents.

The location of the site is not easily accessed as it has no public transport links, it's an unclassified road and adjacent to private dwellings, stables and a local game bird farm.

## **Noise**

The site is also at the peak of a hill that offers no sound barrier to a large number of dwellings sited at the foot of Sheepshead Hill. Historically complaints by residents of this site have been upheld re noise and light spillage from the driving range. Any such enhancement in activities at the site being operated up to 2100hrs and 2230hrs respectively or later would result in further complaints. This in turn would result in an unnecessary drain on police and council resources.

## **Fear of Crime**

The fear of crime must not be treated lightly as many local persons are pensioners and like many others, they moved to this quiet parish for a peaceful life away from noise, traffic and crime & anti-social behavior.

The thought of increased numbers of persons visiting and leaving the premises at night making a noise shouting and possibly being under the influence of alcohol, has already increased the fear of crime and anti-social behavior on local residents.

Since the new owners of the site have moved in, many reports of the owner's dogs barking and running loose in Joes Road have been passed onto the local Residents Association.

I am sure you are aware that the Fear of Crime is a Material Consideration under planning and should also be considered under any other functions carried out by the council.

If there were an increase in burglary, anti-social behavior etc. this would again result in an unnecessary drain on police and council resources.

It is also relevant to raise the issue that any increase in Emergency services and council resources attending the site due to crime and disorder/ anti-social behavior, has been shown through research that crimes have a carbon footprint, and this would be increased. With all local authorities aiming to reduce their carbon footprint it is in their interest to prevent and reduce crime wherever they can.

### **Anti-social behavior**

Already, litter is a nuisance and local residents and the fishing club are often out collecting packaging, cups and bottles from front lawns hedgerows and ditches. The concern by many is that this anti-social behavior will increase as more persons arrive and leave the site in vehicles or on foot,

### **Criminal Damage**

The owners of the site have shown little regard for laws or rules and regulations.

They have placed advertising signage on the back of traffic signage on the A134 at the junction with Joes Road. Direction signage on two electrical/telegraph poles in Joes road and 2 signs were bolted onto and over 2 authorised brown tourist information road signs in

Joes road (criminal damage). These signs were made to look like actual tourist information signs. No permissions were given for these installations. The attitude of Mrs. Rayworth is this is acceptable to attract more customers.

Unknown persons removed these signs and the result was that the owner of the activity park Mrs. Rayworth, publicly verbally abused and accused the Residents Association Chair of doing this.

Following this incident, The Chairs` car had the `C` word painted across the bonnet of his car and the word `café→` and the symbol painted on his garage door. (this remains and is easily viewed from the road).

She also told members of the Resident`s Association, no one should have the right to object to her planning applications, whatever the reason, as she is a charity.

Mrs. Rayworth has also slept on the premises ever since purchasing it (this is against planning regulations), which she has admitted to, but then changed this to `just now and again`. We are informed by planning enforcement that when they asked if she was living there, she stated `only occasionally` due to her protecting the property against burglary. I believe the enquiry was done over the phone without a site visit. The last time the place was burgled was when they`re was a Pro Golf shop on site with thousands of pounds worth of equipment. This target for criminal activity has not been on site for 3 years. With Mrs. Rayworth now supporting a café and outside activities along with the introduction of alcohol (a valuable target) on the premises she is in fact increasing the possibilities and opportunities for crime and anti-social behavior.



Her dogs which cause constant annoyance to many residents and visitors to the site, are now going to have more reason to bark with late night activities and persons walking around the site. Mrs. Rayworth refers to the dogs as her guard dogs and she has a sign in the building warning of guard dogs on the premises (of course guard dogs must not run loose, but disregard of legalities appears to be the norm).

This application is one of many that has been submitted and as yet much of the works have not started or been completed. It is feared by many she is chipping away and attempting to grow the site by stealth. Mrs. Rayworth on many occasions has stated she is not really interested in the site for golf, she is only interested in the sites use for adults with learning difficulties. She has in fact stated to the Residents Association Committee Members, that she should be allowed to do what she wants, and nobody should object to what she wants to do until it's in place.

### **Traffic and Public Safety**

As mentioned, Joes Road is quite narrow, an unlit country lane, with a 30mph restriction passing most of the housing. The road is then to national speed limit restriction. The road has few passing places, and this causes vehicles to mount verges or drive onto residents drives or front lawns in order to pass each other. With the inevitability that increased vehicle movements would cause more problems.

Sight lines along this road are not good and many vehicles have had to brake and mount verges to avoid a collision.

Many residents walk this road at all hours, as do horse riders from two local stables in Joes Road. When vehicles approach it is the pedestrian who is forced to walk on verges, that in winter are more often than not muddy, water filled tyre damaged quagmires. More vehicles will add to this problem and to the fear of accidents occurring. During litter picking days by local's, car wing mirrors, bumpers, valences are found on verges and in the trees and ditches where vehicles have mounted the verges and had collisions with trees.

As there is no public transport on this road any licensed events will encourage raised vehicle movement that will come from visitors to the site arriving in larger vehicles such as minibuses, taxis & cabs that will make return journeys to collect their fare. Or, as stated previously, will encourage people to drink and drive.

The junction of Joes Road and A134 will have increased vehicle movements also. There will be increased traffic across the golf course off the A134, Rotten Row and at the Sackers Green junction, all with poor sight lines.

This is raising further fear for locals that a serious accident is going to happen.

### **Environmental disruption**

Joes Road area attracts many species of birds and animals and it is feared increased noise and movement of people and traffic will disrupt nesting birds or harm badgers, deer, foxes, ducks, moorhens, guinea fowl, hedgehogs, bats and barn owls that are seen crossing the road. There has been evidence that ducks, moorhens, toads, frogs and grass snakes have been run over near

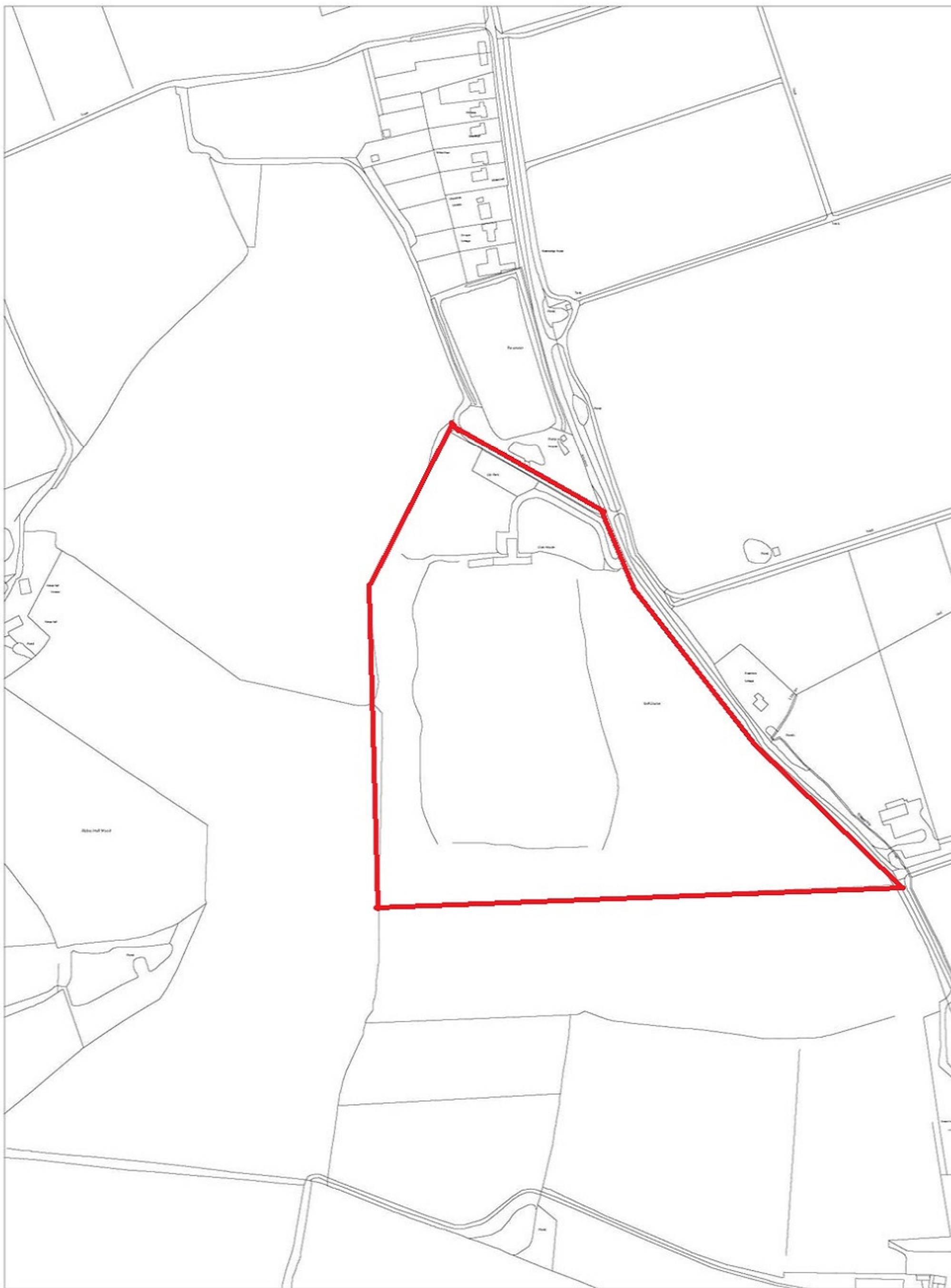
the fishing lake in Joes Road. Further unnecessary casualties of our wildlife will arise with increased traffic movements.

Mrs. Rayworth's planning application for a respite facility for adults with learning difficulties appears not to be so important, as she now appears to want a facility with loud music and alcohol only yards from her lodgers and their carers. These two businesses appear to be at loggerheads as to their needs. Mrs. Rayworth also stated she wanted her vulnerable adults to make cakes and pies etc. that can be sold in the café and served by them, as part of their development. How does this fit with all the associated licensing regulations, not to mention health and safety?

All these wild expectations and ideas show a lack of connectivity around how she runs the whole site and of her development and involvement of vulnerable adults in licensed premises.

As stated, I object against this application on behalf of myself, local residents and fellow members of the Residents Association.





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