

# Public Document Pack



<b>COMMITTEE:</b>	<b>LICENSING SUB-COMMITTEE</b>
<b>DATE:</b>	<b>TUESDAY, 4 APRIL 2023 10.00 AM</b>
<b>VENUE:</b>	<b>BRITTEN ROOM - ENDEAVOUR HOUSE, 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 Licensing & Regulatory Committee has been arranged as set out above in order to determine the following application:

<b>Application for the variation of a premises licence (section 34)</b>	
Application date:	15 <sup>th</sup> February 2023
Applicant:	Stonegate Pub Company Ltd
Premises:	Weavers Tap, Queensbury Building, East Street, Sudbury CO10 2HX

Please ensure that the attached 'Attendance at Hearing Notice' is completed and returned

<b>Sub-Committee Members</b>	
<b>Members</b>	<b>Reserve Member</b>
Sue Carpendale Margaret Maybury Lee Parker	Kathryn Grandon

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)

- 1 WELCOME - LEGAL ADVISOR TO THE SUB-COMMITTEE
- 2 ELECTION OF CHAIRMAN FOR HEARING (IF APPROPRIATE)
- 3 APOLOGIES FOR ABSENCE

4        **DECLARATION OF INTERESTS BY COUNCILLORS**

5        **B/LASub/22/2 LICENSING ACT 2003 - HEARING TO DETERMINE AN APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003 - WEAVERS TAP, QUEENSBURY BUILDING, EAST STREET, SUDBURY CO10 2HX**

5 - 38

Report from the Licensing Team attached.

**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.

6        **EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

Sub-Committee deliberations to take place in closed session.

7        **RE-ADMITTANCE OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

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>From: Kate Pearsall – Licensing Team Leader</b>	<b>Report Number: B/LASub/22/2</b>
<b>To: Licensing Sub-Committee</b>	<b>Date of meeting: 4 April 2023</b>

### HEARING TO DETERMINE AN APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003

#### 1. Purpose of Report

- 1.1 To report information to the Sub-Committee to enable the determination of an application made to vary premises licence BPL0332 - on issue in respect of Weavers Tap, Queensbury Building, East Street, Sudbury, Suffolk CO10 2HX.

#### 2. Recommendations

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

- to modify the conditions of the licence;
- to reject the whole or part of the application;

and for this purpose, the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

The Sub-Committee is able to determine the variation application.

#### 3. Financial 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 (Suffolk Free Press: 23 February 2023 edition).

## 6. Equality Analysis

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

## 7. Shared Service / Partnership Implications

- 7.1 Not applicable.

## 8. Key Information

- 8.1 The hearing is to determine an application made to VARY an existing premises licence (number BPL0332) made under section 34 of the Licensing Act 2003. For ease of reference a summary of the existing premises licence permissions is attached as **Appendix A**.

- 8.2 The application has been submitted by the premises licence holder:

### **Stonegate Pub Company Ltd**

For licensed premises:

**Weavers Tap, Queensbury Building, East Street, Sudbury, Suffolk CO10 2HX.**

The Designated Premises Supervisor (DPS) is:

**Nicholas Halle** (personal licence holder 40622 with Barking and Dagenham Council)

- 8.3 The variation application was submitted on 15 February 2023.
- 8.4 The premises licence holders are seeking to diversify and update their current premises licence entitlements.
- 8.5 The full application attached as **Appendix B** specifies the full proposals of the variation.
- 8.6 Weavers Tap (previously Silkworm) has benefitted from a premises licence issued by Babergh District Council since 15 February 2007.
- 8.7 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
- 8.8 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.

- 8.9 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.
- 8.10 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.
- 8.11 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.
- 8.12 Paragraph 14.19 of Secretary of State Guidance issued under section 182 of the Licensing Act 2003 states that "there can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.
- 8.13 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.

## **9. Representations**

- 9.1 The Licensing Authority has received no representations from the Responsible Authorities under the Licensing Act 2003. Further conditions have been agreed by the applicant after mediation with Environmental Protection these are attached as Appendix D
- 9.2 There have been 4 representations received made by 'other persons'. These are attached as **Appendix C** to this report.

## 10. Appendices

Title	Location
A. Summary of premises licence BPL0229	Attached
B. Variation application (Section 34)	Attached
C. Representations received from 'other persons'	Attached
D. Further Conditions agreed with Environment Protection	Attached

## 11. Background Documents

- Licensing Act 2003
- Guidance issued by Secretary of State under Section 182 of the Licensing Act 2003 (December 2022)
- Statement of Licensing Policy (2021-2026)

### Authorship:

Kay Sanders and Katherine Green  
Licensing Officers

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BABERGH DISTRICT COUNCIL  
 Licensing Authority  
 Endeavour House, 8 Russell Road  
 IPSWICH  
 Suffolk IP1 2BX  
 Website: [www.babergh.gov.uk](http://www.babergh.gov.uk)  
 Switchboard: 0300 123 4000

Licensing Act 2003  
**Premises Licence**

**BPL0332**

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
Weavers Tap Queensbury Building East Street/Girling Street SUDBURY CO10 2HX	
Post Town:	SUDBURY
Post Code:	CO10 2HX
Telephone number:	

Where the licence is time limited the dates
Not applicable

Licensable activities authorised by the licence
<ul style="list-style-type: none"> <li>• Supply of alcohol (for consumption both ON and OFF the premises)</li> <li>• Recorded Music (Indoors)</li> <li>• Late Night Refreshment (Indoors)</li> </ul>

The times the licence authorises the carrying out of licensable activities

**STANDARD TIMINGS:**

**(a) Supply of alcohol (for consumption both ON and OFF the premises)**

Hours authorised: 10:00hrs until 00:00hrs (Sunday to Wednesday)  
10:00hrs until 01:00hrs (Thursday to Saturday)

**(b) Recorded Music (Indoors)**

Hours authorised: 10:00hrs until 00:30hrs (Sunday to Wednesday)  
10:00hrs until 01:30hrs (Thursday to Saturday)

**(c) Late Night Refreshment (Indoors)**

Hours authorised: 23:00hrs until 00:30hrs (Sunday to Wednesday)  
23:00hrs until 01:30hrs (Thursday to Saturday)

**SEASONAL VARIATIONS / NON-STANDARD TIMINGS:**

**New Year's Eve (31 December):**

All licensed activities authorised from the end of standard timings on New Year's Eve until the start of standard timings on New Year's Day.

The opening hours of the premises for the carrying out of licensable activities

**STANDARD TIMINGS:**

Hours authorised: 10:00hrs until 00:30hrs (Sunday to Wednesday)  
10:00hrs until 01:30hrs (Thursday to Saturday)

**SEASONAL VARIATIONS / NON-STANDARD TIMINGS:**

**New Year's Eve (31 December):**

All licensed activities authorised from the end of standard timings on New Year's Eve until the start of standard timings on New Year's Day.

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

**Supply of alcohol for consumption both ON and OFF the premises**

## Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Stonegate Pub Company Limited**  
3 Monkspath Hall Road, Solihull B90 4SJ

Telephone number: **none disclosed**

Registered number of holder, for example company number, charity number (where applicable)

**FC029833**

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Nicholas Halle**

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Personal Licence number: 40662**  
Issued by: LONDON BOROUGH OF BARKING AND DAGENHAM COUNCIL

**AUTHORISED**  
Last printed 14/11/22



CONDITIONS ATTACHED TO THE ISSUE OF:  
**PREMISES LICENCE No: BPL0332 Weaver's Tap**

**ANNEX 1 - MANDATORY CONDITIONS**

*The following conditions in Annex 1 are mandatory under the provisions of the Licensing Act 2003:*

- 1.1 No supply of alcohol may be made under the premises licence:
  - (a) At any time when there is no designated premises supervisor in respect of the premises licence; or
  - (b) At any time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
- 1.2 Every sale or supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 1.3
  - (a) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
    - (i) a holographic mark, or
    - (ii) an ultraviolet feature.
- 1.4 The relevant person (the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, the personal licence holder who makes or authorises a supply of alcohol under such a licence, or any member or officer of a club present on the premises in a capacity which enables the member or officer to prevent the supply in question) shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of this condition "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979, "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

where - (i) **P** is the permitted price; (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; ["value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994]

- 1.5 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

1.6 The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
  - (i) beer or cider: 1/2 pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

1.7 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 1.8 Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must
- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of that Act.

## **ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

*The following conditions in Annex 2 are conditions consistent with the operating schedule submitted by the applicant within the application:*

- 2.1 The premises licence holder shall ensure that relevant members of staff are adequately trained in legislative requirements relevant to the operation of the licensed premises.
- 2.2 The premises licence holder shall conduct a periodic risk assessment of the licensed premises in accordance with any legislative requirements.
- 2.3 The requirement for door supervisors shall be determined by a management risk assessment, and any door supervisors employed by the premises licence holder shall be licensed by the Security Industry Authority.
- 2.4 The premises licence holder shall comply with any reasonable requirements of the local Fire Officer applicable at the time of completion of the works at the licensed premises.
- 2.5 The premises licence holder shall comply with any reasonable requirements of the local Environmental Health Officer, to include matters relating to acoustic measures, noxious smells and refuse.
- 2.6 Notices shall be prominently displayed and maintained on the licensed premises asking patrons to leave quietly.
- 2.7 Provision of late night refreshment shall be for consumption ON the premises only.
- 2.8 CCTV shall be installed inside and outside of the licensed premises and shall be maintained in adequate working order.
- 2.9 CCTV equipment installed on the premises shall cover such areas of the licensed premises used for licensed activities as may be stipulated by the Police.
- 2.10 In the event that the CCTV equipment becomes inoperable, the premises licence holder or nominated person shall undertake and record a risk assessment justifying any remedial action that needs to be implemented. In any case the CCTV must be adequately repaired within 7 days of it becoming inoperable.
- 2.11 CCTV equipment shall be set to record from the time that the licensed premises open to the public until the time the premises closes and all members of the public have left the premises.
- 2.12 CCTV equipment covering external areas of the licensed premises shall be set to continuously record for not less than 30 minutes after the closure of the premises to the public, in order to monitor members of the public congregating outside of the premises prior to their dispersal.
- 2.13 CCTV recordings shall be retained for a minimum period of 28 days and shall be made available to an authorised officer of the Police upon demand.
- 2.14 Notices shall be prominently displayed and maintained on the licensed premises advising the public that CCTV is operational on the premises.
- 2.15 The premises licence holder shall ensure that there are adequate staffing levels present on the licensed premises to ensure that empty drinking vessels are cleared away promptly, and to provide a visible presence for patrons in public areas of the licensed premises.
- 2.16 Beverages shall be served in plastic or toughened glassware, where available, however where the drink is supplied in glassware that is not toughened then 'empties' shall be collected regularly and diligently.
- 2.17 Where glass bottles are used they shall be retained or disposed of on the premises.

- 2.18 Customers shall not be permitted to leave the licensed premises whilst carrying open bottles or glasses.
- 2.19 The premises licence holder shall follow the 'Challenge 21' guidelines issued by Suffolk Constabulary. Any person selling or supplying alcoholic drinks on the licensed premises shall ensure that they request photographic identity proof of age where they have reason to suspect that that the individual may be under 21 years of age.
- 2.20 The premises licence holder shall adopt and implement a policy on prohibited substances in agreement with the Police and Local Authority.
- 2.21 The premises licence holder shall ensure that a secure deposit box is kept on the licensed premises for the retention of confiscated items, and shall ensure that the Police are advised of any items requiring safe disposal.
- 2.22 The premises licence holder shall ensure that public information notices/leaflets concerning prevention of crime and disorder issues shall be displayed at the licensed premises, as may from time to time reasonably be requested by the Police or Local Authority.
- 2.23 Notices shall be displayed and maintained immediately outside of the licensed premises concerning any restrictions on admittance of individuals according to age.
- 2.24 Any conditions relating to entry to the premises shall be displayed in the vicinity of the entrance to the licensed premises.
- 2.25 The premises licence holder, or their nominated representative, shall actively participate in any local Pubwatch/Nightsafe scheme operating in the locality.
- 2.26 The premises licence holder shall join a leisure link radio scheme, or similar scheme, where such a scheme is available in the locality of the licensed premises.
- 2.27 No person under the age of 18 shall be permitted on the licensed premises after 23:00hrs unless accompanied by an adult. Children under the age of 16 shall not be permitted entry to the premises at any time whilst it is trading unless accompanied by an adult.

### **ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

- 3.1 The volume control of any amplification equipment being used at the licensed premises shall be kept under the direct control of the designated premises supervisor (DPS), or an individual nominated by the DPS, with provision made for the sound level to be turned down upon the direct request of an authorised officer of the Local Authority or Police.
- 3.2 All windows and doors shall be kept closed (save for access or egress) during any potentially noisy activities at the licensed premises.

### **ANNEX 4 - PLANS**

As attached.





**Babergh and Mid Suffolk District Councils**

**Application to vary a premises licence 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.

**We** Stonegate Pub Company Limited

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

<b>Premises licence number</b> BPL0332
---

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
Queensbury Building East Street			
<b>Post town</b>	Sudbury	<b>Post code</b>	CO10 2HX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£91,000

**Part 2 – Applicant details**

<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
<b>Current residential address if different from premises address</b>	3 Monkspath Hall Road		
<b>Post Town</b>	Solihull	<b>Postcode</b>	B90 4SJ

### Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not, from what date do you want the variation to take effect?

Day	Month	Year

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please read guidance note 2)

1. To extend the terminal hour for the sale of alcohol (on and off sales) until 02:00 the following morning on Friday and Saturday and extend the terminal hour for recorded music and late night refreshment (both indoors) and opening hours until 02:30 the following morning Friday and Saturday.
2. To add and remove conditions to the Premises Licence as detailed in the application.

Variation submitted following consultation with the Police Licensing and Licensing Authority officers.

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

N/A

### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment** (Please read guidance note 3)

**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 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)

**Sale by retail 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 8)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	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 5)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
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 7)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	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 5)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
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 7)		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b><u>Please give further details</u></b> (please read guidance note 5)	
Day	Start	Finish	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 6)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			<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 7)	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		Outdoors	<input type="checkbox"/>
Mon						
Tue						
Wed					<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 6)	
Thur						
Fri					<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 7)	
Sat						
Sun						
					Both	<input type="checkbox"/>

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	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 5)		
Mon			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6)		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<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 7)		

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon	No change	No change	As existing		
Tue	No change	No change	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)		
Wed	No change	No change			
Thur	No change	No change			
Fri	No change	02:30			
Sat	No change	02:30			
Sun	No change	No change			
			As existing		

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	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 5)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri					
Sat			<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 7)		
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 8)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	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 5)		
Wed					
Thur					
Fri			<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 6)		
Sat					
Sun					
			<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 7)		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5) As existing					
Mon	No change	No change						
Tue	No change	No change						
Wed	No change	No change				<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Thur	No change	No change						
Fri	No change	02:30				<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 7) As existing		
Sat	No change	02:30						
Sun	No change	No change						

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)					
Mon	No change	No change						
Tue	No change	No change						
Wed	No change	No change				<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 7) As existing		
Thur	No change	No change						
Fri	No change	02:00						
Sat	No change	02:00						
Sun	No change	No change						

**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 8)  
**No change/ as existing.**

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6) As existing
Day	Start	Finish	<b>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</b> (please read guidance note 7) As existing
Mon	No change	No change	
Tue	No change	No change	
Wed	No change	No change	
Thur	No change	No change	
Fri	No change	02:30	
Sat	No change	02:30	
Sun	No change	No change	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
 The following conditions are to be removed:

- Door staff condition 2.3 under Annex 2
- Challenge 21 condition 2.19 under Annex 2
- CCTV conditions 2.8-2.13 under Annex 2 all to be removed (retain condition 2.14)

These conditions are to be replaced with updated conditions as detailed in box M below following consultation with police licensing and licensing authority officers.

Please tick yes

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

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below



Reasons why I have failed to enclose the premises licence or relevant part of premises licence  
N/A

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 11)

*[The information provided in this box is solely for information only and not intended to be converted into conditions on the licence.]*

We have considered the impact of the proposed variation which allows for additional hour to trading hours on Friday and Saturday only and add and amend conditions, following consultation with police and licensing authority officers.

Given the changes proposed, the applicant has carefully considered the application, the effect upon the licensing objectives and the Council's Licensing Policy. Steps have been taken to ensure that the application and proposed operation will continue to promote the licensing objectives. In particular, the applicant has undertaken consultation regarding the application with the Police Licensing and Licensing Authority officers prior to submission of the application. Their comments have been taken into account in considering and submitting this application. In particular, following consultation updated conditions have been offered as to door staff on Friday and Saturday, Challenge 25, CCTV and a new staff training condition, these conditions shall help ensure the licensing objectives continue to be promoted if the application is granted.

The purpose for seeking later hours Friday and Saturday is to allow our customers, who want to continue their night in a safe and well managed venue, to do so. Keeping our customers with us means that they are in a controlled and supervised environment and a longer wind-down period allows for a gradual dispersal which can be managed and contained.

Considering the above, we believe that the variation will not undermine the Licensing Objectives. The Applicant believes that the updated conditions offered, alongside the existing measures within the operating schedule and experience of the applicant, will ensure the premises continue to promote the Licensing Objectives if the application is granted and further conditions are not required.

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

See a) above. In addition, if the application is granted as applied for the following additional conditions are proposed to be added:

- A minimum of 2 (two) SIA registered Door Supervisors shall be employed at the premises on Fridays and Saturdays when the premises are open for licensable activities past 23.00 hours. Door Supervisors shall be employed from 21:00hrs up until the closure of the licensed premises and dispersal of customers. All Door Supervisors will be easily identifiable by means of high visibility clothing/uniform/fluorescent band and badge displaying SIA licence details. All Door Supervisors will sign an attendance book at the commencement of their duty, recording their name and SIA number. The attendance book will be made available to the Police or an authorised officer of the Local Authority immediately upon request. On all other days of the week except Friday and Saturday, the provision of door security shall be on a risk assessed basis.

- All staff engaged in the sale of alcohol will be trained in Responsible Alcohol Retailing on commencing employment at the premises. This training can be administered in-house by the DPS. Training records shall be kept on the premises and produced to the Police/Local Authority on request. Training should be reviewed every 6 months to ensure that staff are up to date with the latest legislation and their training records endorsed accordingly.
- An Incident log will be kept at the premises, recording all incidents and refusals of the sale of alcohol. It will be made available to an authorised officer of the Police or Council on request. It must be completed within 24 hours of the occurrence and must record: a) the date and time of occurrence, b) names of staff and persons involved (if known), c) details of all incidents, crimes reported, refusals of the sale of alcohol, ejections, seizures of drugs/weapons and/or the banning of customers, and d) any visits by relevant authorities or emergency services, and the purpose of the visit.
- The premises shall install and maintain a comprehensive CCTV system. CCTV will cover all public areas where licensable activities take place, including entry and exit points. The CCTV system shall continually record whilst the premises is open for licensable activities and when customers remain on the premises. All recordings shall be stored for a minimum period of 28 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or an Authorised Officer. A staff member who is conversant with the operation of the CCTV system shall always be present when the premises are open to the public. This staff member will be able to show recordings to Police or an Authorised Officer with minimum delay when requested and be able to download relevant footage onto a disc or memory stick, which can be played back on a computer or other digital retrieval system, within 24 hours of a request for download. The CCTV system will be regularly checked to ensure that it is functioning correctly.

**c) Public safety**

See a) above

**d) The prevention of public nuisance**

See a) above

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

See a) above. In addition if the application is granted as applied for the following additional conditions are proposed to be added:

- A Challenge 25 policy will be implemented requiring all customers who appear to be under the age of 25 to produce photographic identification in the form of a passport, driving licence or proof of age scheme (PASS) approved identification, before alcohol can be supplied or sold to them. All staff will be instructed, through training, that alcohol cannot be supplied or sold unless valid identification is produced. The premises licence holder shall ensure that notices are prominently displayed in the premises to advise patrons and staff that a 'Challenge 25' scheme operates in the premises.

**Please tick yes**

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

**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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	15/02/2023
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)			
Puppleston Allen Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			

### Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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.
3. 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.
4. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. 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.
  9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
  10. 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.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.

13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.
- 16.

APPENDIX C

**Sent:** 27 February 2023 11:08

**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>

**Subject:** Weavers Tap, Queensbury Building, East St, Sudbury CO10 2HX

Dear Sirs.

A notice has recently appeared outside the premises of the above, regarding their request to extend the hours that they are allowed to serve alcohol and and play music.

My husband and I reside at number 6 East St, Sudbury, CO10 2TP. Our house is on the opposite corner to the Weavers Tap with just a roads width between our house and the pub. We already have to cope with the loud music and bad behaviour of their customers outside our residence, but we do realise that this is part and parcel of where we live. However we strongly object to the proposal that the hours are extended. We are both in our 70's and need our rest!! We also have young grandchildren who come to stay - usually at the weekend, and this extension would cause us real problems.

Please, please do not allow this to happen!! Please feel free to contact us if you need further comment or if you wish to visit us to see just how close we are!!

Regards Jan Atkinson

Roger and Jan Atkinson  
6 East St  
Sudbury  
CO10 2TP

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**Sent:** 14 March 2023 10:21

**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>

**Subject:** RE: Increase in late opening on Fridays ,Saturdays bank holidays and special occasions for live music and opening hours til 2.30 am.

Reference to increase in late opening of Weavers on Fridays Saturdays etc.

As a resident of Girling Strret I object to this proposal on the following grounds

- 1 The continious noise and disruption especially in the summer months when it is impossible to have windows open and the anti social behaviour when leaving the venue at closing time.
- 2 Although the doors to the ouside seating area should be keep close that is not possible when entering and leaving the bar area and as the evening progresses the noise level increases to anti social height.
- 3 Many of the residents have been living here well before this pub was opened but noboby considers what effect the pub has on the residents especially in the hot summer months.

Maureen Thomas

18 Girling Street  
Sudbury  
CO101LZ

**Sent:** 14 March 2023 03:34

**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>

**Subject:** Note: Sensitive Material accessible within. Objection to application to vary the Weavers Tap premises licence in Sudbury

**Objection....**

**On behalf of my Family, I strongly object to the following....**

*To extend the terminal hour for the sale of alcohol (on and off sales) until 02:00 the following morning on Friday and Saturday and extend the terminal hour for recorded music and late night refreshment (both indoors) and opening hours until 02:30 the following morning Friday and Saturday.*

*To add and remove conditions to the Premises Licence as detailed in the application.*

My personal circumstances of objection are as follows...

Noise (from inside the building)

My Family and I have our evenings disturbed by amplified music when music can be heard coming from the building when being Amplified. This can be during the evenings when the rear courtyard doors are opened for access and also spills out from the front of the building. The level of which is where lyrics of songs can be heard. The other form of noise is from those attending the venue by crowds gathering in the courtyard area. Some will make the assumption that as the courtyard is closed at around midnight that this is not relevant to where the premises is applying for extended hours when the rear is closed but I strongly disagree as I am trying to highlight of the length of hours that noise disturbance is constant and can sometimes last from early evening where our evenings are disturbed during our wind down period pre going to sleep through to early hours of the morning and then interrupted whilst trying to eventually sleep only to be woken again - this I summarise as a form of torture. My family and others have a right to being undisturbed in their own homes.

Noise (anti-social behaviour & Public Nuisance)

The video evidence supports that there are those, when leaving the premises continue to make noise into the adjoining roads as seen in East Street but this spills into adjoining roads such as Girling Street where my family live and constantly cause disturbance. Noting that there is also a night club along East Street which escalates this. None the less there are leavers from the Weavers Tap that do exit and cause disturbance. Residents have called Police to attend on occasions. I myself made a call recently around 12.45 and 1.00 am where I could hear a crowd outside and where there was abusive language and threatening behaviour being shouted between people. On this occasion it lasted for around 15minutes from when I was awoken and speaking to the Police Control Centre. The crowd had thankfully dispersed when Officers appeared in the area.

**Other. factors to consider....**

During the day we tend to leave our windows closed during the daylight hours in order to prevent pollutants entering our property as we live on a busy one-way street. Once the traffic dies down it is essential for us to open our windows in order to let fresh clean air into our property. Unfortunately for us we have to keep them closed on Friday & Saturday evenings when the noise could be developing outside as already mentioned but still get disturbed regardless even when we close them. The problem is at it's greatest during the summer months when our house heats up during the day time and during the late evenings and early mornings we have not really any other alternative than to leave our windows open to allow cool air in. This allowing us to sleep within a suitable temperature except for when the noise builds up from the venue under question and beyond.

**Our experience living in Girling Street....**

My wife and I first moved into our property in 1993. There was no significant disturbance back then even with the night club still in East Street. The Venue in question was an enclosed venue with



snooker rooms upstairs. We had no disturbance. Even when the venue was converted this was only open with back ground noise being granted. Again we never had issues.

Girling Street is predominantly a quiet place after 9pm when the traffic dies down and 7am when the traffic starts up again. This all changed once the venue in question started extending its hours and Government Licencing changed. I can say that our quality of life on this road diminishes at the weekends due to the venues constant adaption. Our children when younger used to get disturbed during the evenings due to noise especially during the summer months as explained and even where sleeping towards the back of our property. Our youngest is now 15 years old that still gets occasionally disturbed. I feel so sorry for her and the young families that have moved into the area. In the past year I was contacted by a single mother who lives in Minden Road further away than where we live asking where the music was coming from as she couldn't get her infant to sleep. This was on a day when amplified music was being played at the Weavers Tap.

I will just leave a note here about the Night Club adjacent in East Street regarding audio in case there are those reading this that might assume that the audible sound is coming from here. As a resident in Girling Street we hear and sometimes feel low base from the music where the audio isn't distinguishable which generally doesn't disturb us as it's further away. There was once an issue where the night club would open it's fire exit doors during the summer months but this was stopped by the Environmental Health Department after complaint. Yes some of the external noise disturbance from people will be coming from here however having two establishments open is only spreading the problem. Noting that there isn't a weekend that goes by where we don't hear cries from intoxicated people moaning about a loved one that has split up or from the regular shouting of abuse to others with foul language, We moved our Children to the back of our property some time ago now so as to prevent them from harm of this form of verbal abuse of which my wife and I unfortunately now have to endure.

#### **Summary to above....**

My comments above already show how my family are already impacted and would also be further more so where what I have mentioned includes the following items that are considered when issuing licensing....

1. Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Public Nuisance
4. Protection of Children from Harm

In addition my video that I captured in December 22 was done so due to excessive noise being experienced from within my property from outside where I decided to wander down to see where it was coming from which lead me in to East Street. Whilst standing opposite the Weavers Tap on the opposite side of the road away from the building I captured the content seen and heard which clearly shows issues within the control of licensing conditions. The Door at the beginning unmanned where the doors were clearly left open at one point and tied back with no control over. Audible speech can clearly be identified from a mic along with audible music and its content clearly recognisable. Public left to come a go as they pleased and spilling onto the street chanting causing further noise nuisance antisocial behaviour. One lady clearly intoxicated where the Doorman appears to handle her through the entrance to the wall outside - I'll let others decide what's going on here. This clearly shows that supervision is inadequate where control was absent and allowing the issues mentioned. This venue and its applicant are not suitable for the granting of licencing permission which have been applied for and if anything should be recommended restricting the opening hours further where banning amplified music and only allowing background music as the premises was originally intended when it first opened.

Please note that I am aware of a change of name being put forward by the current owner of the business applying for the licence and wish to make it perfectly clear that where I mention the 'Weavers Tap' this would also included any name change that would be used in place of by the registered applicant.

## APPENDIX C

Please confirm receipt of my email including that you have downloaded and are able to view and listen to its audio content.

Kind regards

Steve Hall  
16 Girling Street, Sudbury, Suffolk CO101Lz

Please note for the record that some may know me as a Sudbury Town Councillor. I wish to state for the record that this is my own personal representation where picking up on my families experiences and where I know share also with my neighbours which I have had unavoidable contact with regards to the issues mentioned over the years prior to and after becoming a councillor in a role of which I confirm I have avoided and excluded myself from debate and official discussion that has taken place at the Town Council regarding this licensing application thus to avoid any conflict of interest. I am as a Town Councillor aware that the Town Council have submitted their own objection towards this licencing application.

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**From:** Emily Fox  
**Sent:** 15 March 2023 22:11  
**To:** BMSDC Licensing Team <LicensingTeam@baberghmidsuffolk.gov.uk>  
**Subject:** weavers tap

Dear Sirs,

I note that there has been an application for extended licensing hours until 2am at the Weavers tap Friday & Saturday night., Sudbury.

I am writing to express that I feel this is a bad idea considering this is a residential part of town.

I live across the road from the Weavers Tap courtyard and am already concerned about the noise levels coming from the pub especially on a Friday & Saturday night.

My house is about 50 yrds from the courtyard and the noise from that open area carries significantly across the road into our garden/house.and it sounds like the people in the courtyard are actually in our garden as there is no barrier.

However, this is only the start of the problems we have experienced. At closing time and in the early hours we experience a significant amount of aggressive drunk and disorderly behaviour. This includes fights, shouting and drug dealing in the alleyway alongside my house.

I find this extremely disruptive and upsetting, not to say frightening.

I have been considering complaining to the council about this and can only imagine the extended hours will exacerbate the situation.

This pub is on the edge of town near a residential area and should respect its neighbours who have to put up with the appalling behaviour of the clientele.

I therefore strongly disagree with these extended opening hours.

I can understand that businesses are struggling to survive and looking for ways to compete but this is too close to a residential area and it is therefore unacceptable to the residents in this area.

Kind regards  
Emily Fox  
9, East Street, Sudbury, Suffolk, CO10 2TP

## APPENDIX D

1. *on Friday and Saturday when the premises trade for sale of alcohol beyond 01:00 hours the following day:*
  - a. *the rear 'beer garden' seating/smoking area shall be closed to patrons **from 00:01** the following morning.*
  - b. *the inner front doors will remain shut **after 00.01hrs** the following morning save for access and egress and in the case of emergency (customers wishing to smoke will be directed to the front of the premises after this time)*
2. *on Friday and Saturday when the premises provide regulated entertainment beyond 01:00 hours the following morning, the Premises Licence Holder/DPS/Duty Manager or nominated member of staff shall **after 00:01 the following morning** , as a minimum each hour until close, survey noise breakout from the premises and where the noise or vibration level is such that it is likely to cause disturbance to residential properties, he/she shall decrease the volume level accordingly.*

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## **NEW OR VARIATION APPLICATION HEARING PROCEDURE (PREMISES OR MEMBER’S CLUB)**

**NOTE:** References to the ‘Applicant’ may also apply to an existing licence holder if the hearing consideration relates to a licence already on issue (for example a variation)

1. The Council’s Licensing Officer will present a report to the Sub-Committee outlining details of the application and reasons for the hearing including representations/objections made. The Licensing Officer may then, through the Chair, be questioned on his report by any party to the hearing.
2. The Applicant (and/or his advocate/representative) will then present their case in support of the application they have made. The Applicant calls any witnesses (if applicable). The Applicant and witnesses (if any) may then, through the Chair, be questioned by any party to the hearing.
3. Responsible Authorities (and/or his advocate/representative) will then present their case in support of their representations. The Responsible Authorities call any witnesses (if applicable). The Responsible Authorities and witnesses (if any) may then, through the Chair, be questioned by any party to the hearing.
4. REPEAT STEP 3 FOR EACH RESPONSIBLE AUTHORITY.
5. Other Persons objecting (and/or his advocate/representative) will then present their case in support of their representations. Other Persons call any witnesses (if applicable). Other Persons and witnesses (if any) may then, through the Chair, be questioned by any party to the hearing.
6. REPEAT STEP 5 FOR EACH OTHER PERSON OBJECTING.
7. The Chairman may then allow additional questioning/ clarification of any of the parties in the order indicated by him.
8. The Council’s Licensing Officer gives any closing comments to the Sub-Committee.
9. The Applicant (and/or their advocate) gives any closing address to the Sub-Committee.
10. The Sub-Committee retires to deliberate in private session. All parties will then be called back into the meeting for the announcement of the decision and reasons for the decision will be given by the Chairman or Legal Advisor to the Sub-Committee (in some cases the Sub-Committee may decide to defer making a decision in accordance with any regulatory timeframe). The full written notification of the decision and rights of appeal will follow forthwith.

### **NOTES:**

- (a) The hearing will take the form of an informal discussion led by the Licensing Authority.
- (b) The Sub-Committee Chairman and, with his consent, any Member of the Sub-Committee may at any time question the Applicant, Responsible Authorities, Other Persons, Licensing Officer or any witnesses. The Sub-Committee Chairman may deviate from this procedure as he considers necessary or appropriate, to allow a discussion to flow and to allow all parties fair and equal opportunity to raise all points they may wish to make.
- (c) At all times during proceedings due regard shall be had to The Licensing Act 2003 (Hearings) Regulations 2005.

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