

# Public Document Pack



## LICENSING SUB-COMMITTEE

LOCATION OF HEARING:  
VIRTUAL TEAMS MEETING

DATE AND TIME OF HEARING:  
WEDNESDAY, 3 MAY 2023 at 10.00 AM

## 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:

### Application for the GRANT of a premises licence (section 17)

**Application date:** 12<sup>th</sup> March 2023

**Applicant:** Marc Blake

**Premises:** Courtyard Tap, 26-27 Gainsborough Street, Sudbury CO10 2EU

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

### Sub-Committee Members

#### Members

Sue Carpendale (Vice-Chair)  
Adrian Osborne  
Lee Parker (Chair)

#### Reserve Member

TBC

## 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/22/3 LICENSING ACT 2003 – HEARING TO DETERMINE AN APPLICATION MADE FOR THE GRANT OF A NEW PREMISES LICENCE - COURTYARD TAP, 26-27 GAINSBOROUGH STREET, SUDBURY CO10 2EU**

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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@babermidsuffolk.gov.uk](mailto:Committees@babermidsuffolk.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.

### **Protocol for Virtual Meetings**

Live Streaming:

1. The meeting will be held on TEAMS and speakers will be able to join via invite only. Any person who wishes to speak at the meeting must contact Committee Services at: [committees@baberghmidsuffolk.gov.uk](mailto:committees@baberghmidsuffolk.gov.uk) at least 24 hours before the start of the meeting.
2. The meeting will be live streamed and will be available to view on the Council's YouTube page as detailed below:

[https://www.youtube.com/channel/UCSWf\\_0D13zmegAf5Qv\\_aZSg](https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg)

**Please note – if you join the meeting from a mobile phone after the meeting has started, your mobile number may be visible on the screen and therefore also visible on the recording and livestream.**

Recording of proceedings:

1. Proceedings will be conducted in video format.
2. A second Governance Officer will be present and will control the TEAMS call and Livestreaming.

Disclosable Pecuniary Interests:

A Councillor declaring a disclosable pecuniary interest will not be permitted to participate further in the meeting or vote on the item. Where practicable the Councillor will leave the virtual meeting, including by moving to a 'lobby' space and be invited to re-join the meeting by the Committee Officer at the appropriate time. Where it is not practicable for the Councillor to leave the virtual meeting, the Committee Officer will ensure that the Councillor's microphone is muted for the duration of the item.

Confidential items:

The Public and Press may be Excluded from the meeting by resolution in accordance with normal procedural rules. The Committee Officer will ensure that any members of the public and press are disconnected from the meeting and the livestream will cease.

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# Agenda Item 5

## BABERGH DISTRICT COUNCIL

<b>TO:</b> Licensing Sub-Committee	<b>REPORT NUMBER:</b> <b>B/LASub/22/3</b>
<b>FROM:</b> Kate Pearsall - Team Leader	<b>DATE OF MEETING:</b> 3 May 2023
<b>OFFICER:</b> Katherine Green – Licensing Officer Kay Sanders – Licensing Officer	<b>KEY DECISION REF NO.</b> N/A

### LICENSING ACT 2003 – HEARING TO DETERMINE AN APPLICATION MADE FOR THE GRANT OF A NEW PREMISES LICENCE – COURTYARD TAP, 26-27 GAINSBOROUGH STREET, SUDBURY, SUFFOLK CO10 2EU

#### 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 by Marc Blake 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 in the Suffolk Free Press – 23 March 2023 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 was received on 12 March 2023. This is attached as **Appendix A** to this report.

- 7.2 The application has been submitted by:

**Marc Blake**

For the proposed licensed premises:

**Courtyard Tap, 26-27 Gainsborough Street, Sudbury, Suffolk CO10 2EU**

The designated premises supervisor DPS is:

**Ben Skinner** (a personal licence holder with Chelmsford City Council)

- 7.3 Full details of the proposed activity and timings are contained within the application form alongside the steps proposed by the applicant to promote the licensing objectives in the operating schedule (part M) are attached as **Appendix A**.
- 7.4 The plan detailing the areas to be licensed are attached to this report as **Appendix B**.
- 7.5 A hearing is necessary to determine the application following receipt of representations which have not been withdrawn. The Sub-Committee will be aware that its consideration is confined to promotion of the four licensing objectives and the 'need', or commercial demand, for licensed premises are not considerations for the Licensing Authority when discharging its licensing functions (as outlined by the Secretary of State at paragraph 14.19 of the Guidance issued under section 182 of the Licensing Act 2003).

- 7.6 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.
- 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 grant of a new licence.
- 7.10 Members of the Sub-Committee will be aware that the Licensing Act 2003 is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and therefore beyond the direct control of the individual, club or business holding the licence, certification or authorisation concerned. Nonetheless, the Licensing Act 2003 contributes towards a holistic approach to management of the evening and night-time economy (as outlined by the Secretary of State at paragraph 14.13 of the Guidance issued under section 182 of the Licensing Act 2003 and Babergh District Council's Statement of Licensing Policy at 1.9).
- 7.11 Members of the Sub-Committee will be aware of Statutory the Secretary of State's guidance at paragraph's 14.64 and 14.65, which states that planning and licensing are different regimes, and neither is bound by the others decisions. There are circumstances when as a condition of planning permission; a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.
- 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 Responsible Authorities under the Licensing Act 2003.
- 8.2 There have been **9** representations received made by 'other persons' (which includes local residents, businesses and residence association). These are attached as **Appendix C** to this report.

## 9. Appendices

Title	Location
(a) Application for GRANT of NEW premises licence	Attached
(b) Plan detailing the areas to be licensed	Attached
(c) Representations received from 'Other Persons'	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



## Appendix A

### 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 Marc Blake

*(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>Courtyard Tap</b> <b>26-27 Gainsborough Street</b> Sudbury Suffolk CO10 2EU			
<b>Post town</b>	sudbury	<b>Postcode</b>	CO10 2EU
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ <b>5,200</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) |
|  | x                        |                             |
| b) a person other than an individual *               |                          |                             |
| i as a limited company/limited liability partnership | <input 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Blake			<b>First names</b> Marc		
<b>Date of birth</b>		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
<b>Nationality</b>		British			
Current residential address if different from premises address		Gosfield Cottage The Street Gosfield Essex			
Post town	Halstead			Postcode	CO9 1TP
<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)	
<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>					
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	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)  Sole trader
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start? 

DD	MM	YYYY
01	04	2023

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

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>A Grade 11 listed property situated approximately 5 minutes walk from Sudbury high street. Property consists of a store room and two other rooms downstairs and an additional room upstairs and a toilet and sink downstairs. The property will have a bar area and shelving for off sales of our craft beers, the rest will be seating, tables and sofas.</p>
--

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

What licensable activities do you intend to carry on from the premises?  
Serving alcohol in the premises and selling off sales in bottles

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

- |   |   |
|---|---|
| <p>Provision of regulated entertainment (please read guidance note 2)</p> <p>a) plays (if ticking yes, fill in box A)</p> <p>b) films (if ticking yes, fill in box B)</p> <p>c) indoor sporting events (if ticking yes, fill in box C)</p> <p>d) boxing or wrestling entertainment (if ticking yes, fill in box D)</p> <p>e) live music (if ticking yes, fill in box E)</p> | <p>Please tick all that apply</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |
|---|---|

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

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

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

x

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

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play 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 performing plays</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 plays at different times to those listed in the column on the left, please list</u></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"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
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			<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)
Fri			
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			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
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 6)		
Sat					
Sun					

# E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live 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 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 live music</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 live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

**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 type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)  There will be background music playing on the premises while we are open. Music will be played on a lap top using Spotify.		
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri			<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)  Only playing music when the bar is open according to the times in the left hand column		
Sat					
Sun					

# 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			
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 provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
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 type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/> x
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon		11pm			
	12pm				
Tue		11pm			
	12pm				
Wed		11pm			
	12pm				
Thur		11pm			
	12pm				
Fri		11pm			
	12pm				
Sat		11pm			
	12pm				
Sun		11pm			
	12pm				

**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):**

<b>Name</b>	Ben Skinner
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	17/00469

**BW** Issuing licensing authority (if known)  
Chelmsford County Council

**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).

We will be serving alcohol to over 18s only and children to be accompanied by an adult at all times.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon			<p><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)</p>
	12pm	11pm	
Tue			
	12pm	11pm	
Wed			
	12pm	11pm	
Thur			
	12pm	11pm	
Fri			
	12pm	11pm	
Sat			



	12pm	11pm	
Sun			
	12pm	11pm	

## 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)

The premises licence holders shall ensure that relevant members of staff receive and complete suitable and sufficient training to include licensing law, offences in relation to prohibited sales and good practice in relation to promotion of the licensing objectives, with written records retained of training undertaken and made available for inspection by the Police or an authorised officer of the Licensing Authority upon reasonable request. An appropriate training manual shall be operated and retained at the licensed premises. Refresher training shall be undertaken at least once every 12 months, with any new member of staff to be trained within six weeks of taking their position and prior to undertaking any direct duties. For the avoidance of doubt this training may be administered in-house/on-line in accordance with the relevant criteria.

A CCTV system shall be installed and maintained on the licensed premises, with a minimum of three cameras covering the licensed premises. Recordings shall be accurately timed and dated and shall be retained for a minimum period of 31 days. Recordings shall be made available to an authorised officer of the Police or Licensing Authority upon request, and a member of staff competent at downloading/accessing images shall be on duty at the premises whilst it is open to the public. Notices specifying CCTV surveillance is operating shall be displayed prominently at the premises. It should be noted that any retention, use or disclosure of personal information caught on CCTV must be carried out in line with the data protection principles which shall override any conflicting element of this condition.

No illegal drugs shall be permitted on the premises, and all staff and patrons shall be made aware of a zero tolerance to drugs on the premises. The premises licence holder shall ensure that adequate numbers of staff are on duty whilst the premises are open for licensable activities.

All internal areas (including toilets) and external areas shall be monitored by staff on duty whilst the premises are being used for licensable activities.

All appliances and emergency lights shall be checked and serviced regularly and all portable electrical equipment shall be inspected and PAT tested annually.

Staff shall monitor the activity of patrons leaving the premises and remind them to act in a responsible manner and consider the needs of neighbours.

The premises licence holder shall ensure the premises are adequately illuminated, during the hours of darkness, whilst the premises are being used for licensable activities.

The premises licence holder shall ensure that adequate provision is made for the collection and disposal of waste and litter at the licensed premises

Drinking from bottles shall not be permitted. Drinks shall be decanted prior to serving.

The premises licence holder shall operate a 'driver's shelf' selection of non-alcoholic drinks to promote the licensing objectives. Notices shall be displayed and maintained on the premises to deter drink driving.

Contact details of local licensed taxi and private hire operators shall be made available for patrons at the licensed premises.

Signage shall be clearly and prominently displayed at all entrance and exit points on the licensed premises, requesting patrons to minimise noise (both verbal and vehicular) when leaving, in consideration of the needs of local residents.

The premises licence holder shall ensure that a trained first aider and adequate supply of first aid materials shall be kept on the licensed premises whilst licensable activities are taking place.

The premises licence holder shall ensure that all windows and doors are kept closed after 22.30 hours save for ingress and egress from the premises.

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, UK photocard driving licence or PASS accredited photocard, where the individual requesting the supply of alcohol appears to be under the age of 25.

Children shall be accompanied by a responsible adult at all times

Children shall not be permitted on the licensed premises after 21.00hrs

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

**c) Public safety**

**d) The prevention of public nuisance**

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

**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.   
x
- I understand that I must now advertise my application.   
x
- I understand that if I do not comply with the above requirements my application will be rejected.   
x

- [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).  x

**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	8/03/2023
Capacity	sole trader

**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.

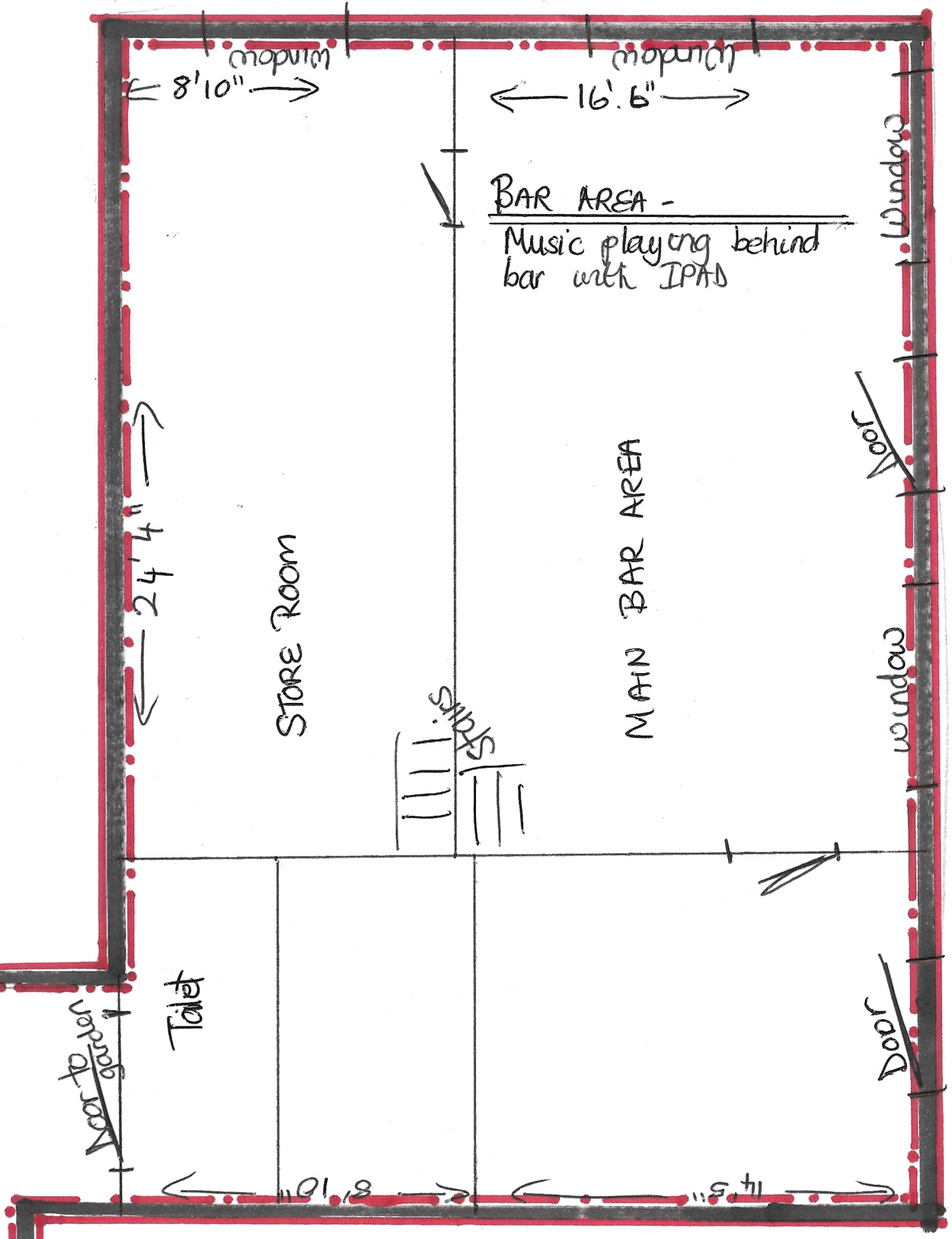
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth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

COURTYARD TAP - micro pub and bottle shop.  
 26-27 Gairsborough Street  
 Sudbury  
 Suffolk CO10 2EY

GARDEN



Opening hours :-

Mon - Thurs - 12pm - 11pm  
 Fri & Sat - 12pm - 11pm  
 Sun - 12pm - 9pm

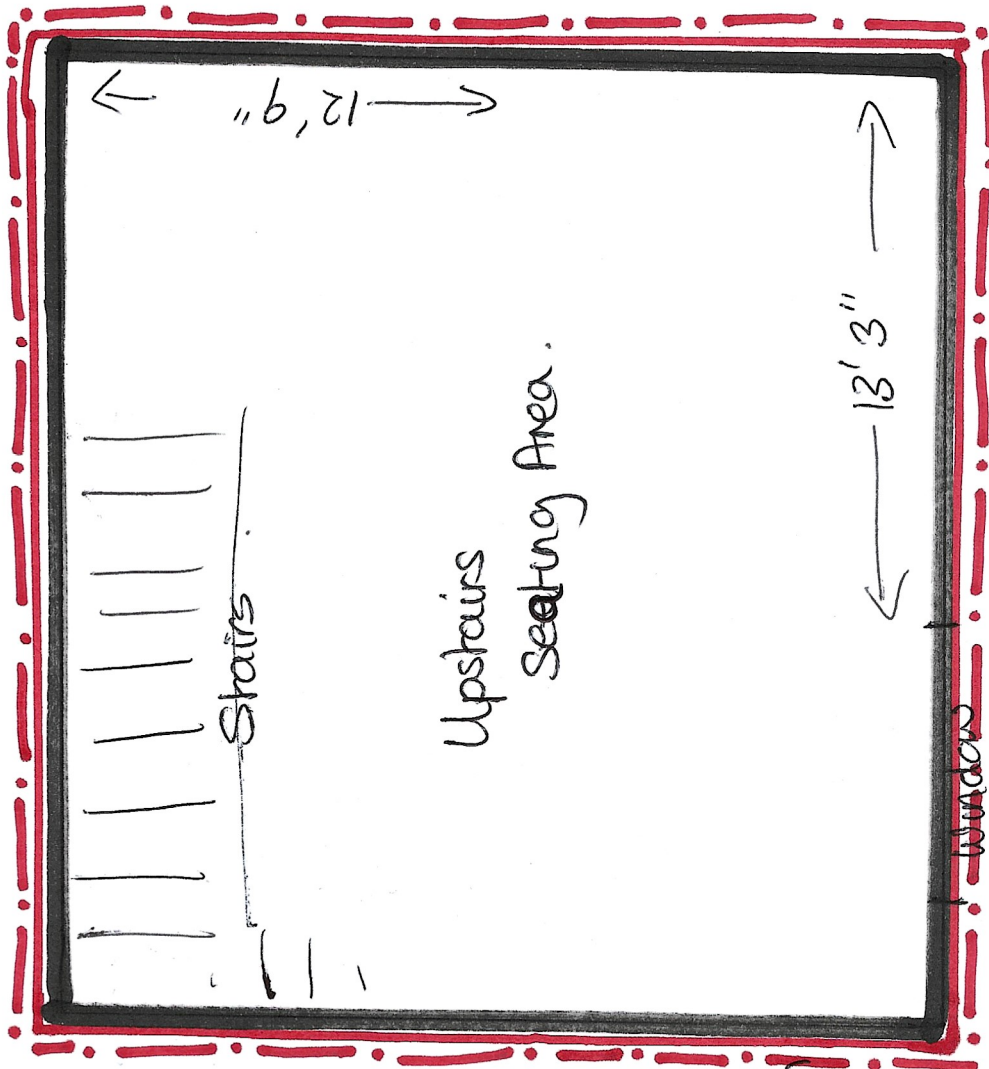
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**KEY**

- Sale of Alcohol
- . - . - . Consumption of Alcohol

COURTYARD TAP  
26-27 Gainsborough Street  
Sudbury  
Suffolk.  
CO10 2EU

Upstairs



KEY

— Sale of  
Alcohol

— Consumption  
of Alcohol

**Representation 1**

Hi Guys

We live at 23 Gainsborough Street and just wanted to let you know that we feel the proposed tap room at the old Bazaar premises is a fantastic idea.

Happy to discuss further if needed

Best wishes and kindest regards

Tristan Reynolds

23 Gainsborough Street  
Sudbury  
Suffolk  
CO10 2EU

## **Representation 2**

From: Alex Davies and Julia Taylor

Address: 30 Gainsborough St, Sudbury CO10 2EU

To Whom it may concern,

We have seen the [application](#) made on behalf of Courtyard Tap for a licence to open a 'micro-pub' by Marc Blake of Courtyard Tap in 26-27 Gainsborough Street, and wish to make the following representations as 'other persons', specifically as residents who would be significantly affected by noise and safety hazards posed by the application:

While opening a business on the vacant premises of Bazaar would be a welcome addition to this residential area, there are aspects in which the application would pose significant concerns under the [licensing framework](#) that we wish to raise; particularly in relation to the hours of opening, the use of the garden, and the provision of on-premises consumption of alcohol. These concerns fall within the Public Safety, Prevention of Public Nuisance objectives and Protection of Children from Harm of the Council's Licensing Framework.

### **Public Safety**

The site is situated in a restricted-visibility four-way junction as part of the A131 road with double-yellow lines, at the junction of School Street, Stour Street, Gregory Street, and Gainsborough Street. It is part of the main route of large lorries as well as smaller vehicles and motorcycles, on a one-way single carriageway, with no room to legally pass vehicles. It is used frequently by ambulances and fire engines (there is a fire station nearby), without sirens, during some of the hours of proposed operation. The nearby free parking facilities on Stour Street are regularly overfilled and there is extremely limited residential parking in the area; and there is a community centre, a church and a care home next door. While in theory the speed limit is 30mph on this street, in practice during the evenings cars and emergency vehicles travel at higher speeds and there are no speed cameras/rumble strips or other traffic control measures in place on this major route. Ambulance access is available to the care home 2 doors down into School Street. The merge into Gregory Street has blindspots for those in School Street. Consequently, the suggestion by the applicant that taxis could be procured by visitors is unlikely and/or hazardous. The premises could not easily restock without blocking one or more major roads, unless the applicant has procured a parking space adjacent, which it is not clear that they have, or they will be carrying stock some distance by hand to/from the premises. We are unsure where the premises would dispose of used barrels/bottles, but this is a key part of managing both noise and hazards that has not been mentioned in the application other than to say that it will take place.

Due to the traffic issues above, primarily visitors would access the premises on foot. As there are no pedestrian crossings on the junction and it is assumed visitors will be coming from the centre of town, this route would be via Gainsborough Street. Pavements on this street are incredibly narrow - at best single-file can be achieved, and sometimes less than this, including in front of the premises. To pass one another residents regularly have to walk into the road. Combined with consumption of alcohol next to a major junction after sunset, this poses a real risk of visitors walking into the road and being hit by cars.

There is also a significant risk posed within the premises - looking at the plans for the building, the only access to/from the garden to the building is via the toilet, which presumably is lockable, or possibly accessed by walking around the building on foot (see footnote).<sup>\*</sup> This means that monitoring the garden for consumption of illegal drugs and preventing other crime and antisocial behaviour would be difficult and/or impossible when the toilet was in use. Furthermore, the applicant does not appear to have stated whether smoking will be permitted in the garden, and many of the traditional houses along the road use wood-burning stoves as a form of heating. As a

result there is a significant risk of fire that should be considered, and the only fire escape from the garden may be locked by other visitors if the garden forms part of the premises and there is no pavement access (see footnote). To compound the potential risks from fire, there is no stated maximum occupancy, and as a traditional building the stairs are likely to be narrow and/or have steep risers.

### **Prevention of public nuisance**

The applicant is proposing to alter the use of the premises from a quiet shop to a micro-pub. The distinction between a micro-pub and a pub appears to be a semantic one, given the times of operation, playing music and the on-premise consumption of alcohol, and unrestricted proposed occupancy. There are no proposed noise limits or equivalent related to use of an iPad, or other controls that might meaningfully distinguish from a pub. This is very out-of-keeping with the surrounding area - as Kohinoor is not actively running an on-premise restaurant, the nearest businesses actually serving alcohol on-premises of any kind would be David's Cafe or The Mill Hotel. The other buildings in the area are houses and churches, other than William Wood House, a care home.

The building, being a traditional listed building with no recent renovations and in somewhat poor condition, is not likely to have any significant soundproofing comparable to a modern construction. It is situated in an area where use is substantially residential past sunset, save for an Indian restaurant on Gregory Street. As a result, opening a pub, especially one operating until 11pm, would introduce new noise from pedestrians into the area much later into the evening. The majority of nearby houses are of traditional construction with single-glazed windows and no soundproofing, which is enforced to some extent by their grade-II listed status. As a result there is limited ability for residents to mitigate any additional noise introduced if this application is approved. While there is background noise from the road, this is very different to that caused by pedestrians passing close-by, especially those that have been consuming alcohol for potentially 11 hours. The use of signs as a control on this noise or 'reminding visitors' is not likely to mitigate this meaningfully, especially as the continuing route will be on foot and not to a vehicle that leaves the area promptly.

### **Protection of Children from Harm**

As a residential area of Sudbury, there is a youth centre in operation towards town at the Eden Project from Monday - Friday, a short walk away from the premises, and young people frequently spend time in this area in the early evening. As a constructive suggestion, it would be worth either preventing access to under-18s altogether, or restricting hours in which they may be in attendance further in order to avoid issues resulting in youth consumption of alcohol.

For all of the above reasons, while it really would be great to see the shop being used once more, it is of significant concern that a pub is proposed to be opened, and restricted hours and/or an off-premise-only licence with restrictions on occupancy and noise would make far more sense to avoid the above concerns.

*\* The application may refer to the garden shown on google street view on the opposite side of the property as shown [here](#) . This would be a mirror image of the plans shown, and involve visitors essentially standing on the street, with only a hedge separating them from the main road and creating an increased amount of noise and smoke, which would pose different issues.*

Kind Regards,

Alex Davies and Julia Taylor

RE: Application for grant of new premises license at 26-27 Gainsborough Street, Sudbury CO10 2EU

### **Representation 3**

My name is Barry Martin and I live at 29 Gainsborough Street, Sudbury CO10 2EU and I would like to make a representation against the above application.

From a Public Safety point of view, I do not think that this location is suitable. Anyone leaving the premises, must do so through a door that opens on to a narrow pavement, beside the very busy A131, with fast moving traffic inches away from them. Alcohol, people and fast moving vehicles are not a good mix. I am aware that the speed limit at this point is 30mph but, unfortunately, this seems to be observed by only a minority of road users.

I am concerned about deliveries to the premises. If the deliveries vehicles were to be stop at the front of the property to unload, then this would reduce the A131 to one lane at this point, causing increased congestion and obstructing the vision of vehicles trying to join the A131 from School Street

If the delivery vehicle was to stop to deliver to the side of the property (in School Street), this would close School Street completely, causing more traffic flow problems.

From a Public Nuisance point of view, the noise of customers leaving the premises late at night (the application is for a licences till 11pm) would be disturbing to the local residence , including the nearby Care Home . I am well aware of the, well documented, problems and complaints caused by the "Station Road" Restaurant/ Wine Bar. The fact that the a number of the surrounding properties have Flying Freeholds above the proposed License premises should be a concern as well, especially as the application says that they will be playing music all the time that they are open.

I am not opposed to the idea of a Tap Room, but believe that this location is unsuitable for one, and that there are a lot of better suited and available locations in the Town.

I live opposite the site and everything I mentioned, apart from the “ flying freehold”, will affect me and my family.



#### **Representation 4**

Good afternoon

I have just seen that the premises of 26-27 Gainsborough street Sudbury suffolk. ,Mr Marc Blake has made a application to change this property into a Micropub, which I find this unacceptable due to position it's a lovely quiet residential area school street with a residential home for the elderly which is only 2 mins away , also the pavement in Gainsborough street is very narrow so when the summer arrives there will be people standing outside which will be unsafe as the road can be very busy at times . Also the amount of noise during and after the pub will be closed will definitely not be exceptable . The landlord will not except any responsibility once the customers are off the premises and the pub is closed So this should be another valid reasons to refuse the property to change also there is no parking out side the premises only parking will be opposite Hardwick house which is where the residents use and that would create disturbance . I personally have experienced all this when I was living in Betty cocker grove ie maldon grey. There are more suitable premises on market hill and north street which will be more suitable . I hope you take all this information into consideration for the respect for the near by residents

Regard Ms Glynis smith

45 Gracefarrant Road Great cornard sudbury suffolk co100fj

## **Representation 5**

The Stone  
Stour Street  
Sudbury  
CO10 2AX

### Objection to Licence Application for 26-27 Gainsborough Street Sudbury

My main reason for objecting to the granting of an alcohol licence to above premises is owing to it's location. It is situated on a very dangerous & busy junction. Also it is almost directly opposite Mulberry House, which houses many residents who have alcohol & drug addictions. It will most definitely be detrimental to their health & their fight against addiction to have availability of alcohol so close to home. Their possible increased alcohol consumption could also seriously put them at risk |& could lead to anti-social behaviour.

Anna Miles

## **Representation 6**

I would like to strongly object to the Licensing Application. The main reasons for this are:

1. Public safety; the premises is on the corner of a street and fronted by a busy main road (A131) where cars are often travelling way in excess of the speed limit especially at quieter times including after rush hour.  
This would coincide with the busiest time at the establishment. There is also an extremely narrow pavement outside the premises which would pose a great risk to people coming out of the establishment, having consumed alcohol. It is also probable that people would also stand on the pavement to smoke.  
As well as putting themselves at risk they would cause problems for anyone else walking along the pavement. As there are a large number of timber-framed houses adjoining the establishment, there is a significant risk of fire
2. Crime & disorder; excessive consumption of alcohol is often associated with disorderly behaviour. As the establishment is in a residential, Conservation Area this is inappropriate for the area and could cause a public nuisance. Another concern is noise generated from both inside and outside the establishment up to 11pm 7 days a week, particularly as the outside area is surrounded by residential property. A lot of people in the area are in employment many leaving for work before 7am.
3. Parking in this area is at a premium as many residents do not have their own parking space and available parking spaces are taken by early evening.

Gillian Miles,  
1 Stour Street,  
Sudbury CO10 2AX  
4/04/2023

## Representation 7

25 Gainsborough Street, Sudbury, Suffolk, CO10 2EU  
Tuesday 4<sup>th</sup> April 2023

FAO Licensing  
Babergh District Council

I write today in opposition to the application for New Premises Licence for 26-27 Gainsborough Street by Marc Blake.

I own 25 Gainsborough Street, the property next door (and in fact over) 26-27 Gainsborough Street. I am in staunch opposition to a bar opening in the premises attached to and below my home. I began the purchase of this home in September 2022 before the commercial property Bazaar revealed their intentions to close. Whilst I accept I made the decision to purchase a property adjoining a commercial property, the commercial property in question would have been closed for the day by the time I returned home from work and opened reduced hours on a Saturday & Sunday. It was also a commercial business that did not serve alcohol and a clientele that would remain on the premises for some hours therefore the premises would not have affected my right to enjoy peace & quiet within my home without public nuisance.

I would like to point out that not only does my property adjoin the proposed premises it also has a flying freehold OVER the property. This flying freehold will be my bedroom.

I would NEVER have purchased this property had I known that my bedroom would be above a bar/pub area. I am not in a position to immediately sell the house I waited seven months to own, as I cannot afford another set of solicitors fees nor could I afford a new mortgage at current interest rates.

I work a very stressful job in healthcare and I work very hard to reduce stress to my physical and mental health with a healthy sleeping pattern. I go to bed at 9pm and am asleep by 10pm every night during the week and often on Friday and Saturday also. The proposed opening hours of 12pm-11pm would severely impact this, especially as my bedroom is immediately over the bar area proposed. I am sure you can understand that it would not just be the noise of the premises being open but, especially on weekends, patrons that are buoyed by the alcohol they are purchasing from the premises making a nuisance of themselves as they are often bound to do. I say this as a person who not only, unfortunately, grew up in a pub and suffered through years of such nuisance but as a person who has recently moved from a property close to The Prince of Wales pub. The noise from the pub and its drunken clientele was not only one of my main reasons for moving but also moving to a property NOT close to a premises that serves alcohol. You cannot even imagine my utter dismay to find this application has been submitted right as I am able to move into my new home, where this nuisance will be as close as it could possibly be without being IN the home I own.

I note that Mr Blake makes very little mention of how he will prevent his patrons making a public nuisance in his application.

I would also like to note that just because the bar may close at 11pm does not mean that staff or patrons will not be allowed to remain on the premises and/or staff may need to remain to carry out additional duties past closing time. With further regard to the flying freehold both 25 and 26-27 Gainsborough Street are centuries old listed buildings with timber frame. There is not sufficient insulation to prevent noise carrying upwards or over to my property and I would also be concerned about the fire regulations both of the building and of a smoking area outside of the bar and the affect a fire could have on my property. I have a small courtyard separated from the courtyard of 26-27 Gainsborough Street that will contain multiple plants and, in warmer weather, clothing on a rotary washing line, I am concerned about cigarettes being flicked over the fence or even leftovers of drinks as I have known this to happen at other pubs in Sudbury. My courtyard is also overlooked by the upstairs seating area Mr Blake proposes, resulting in me having zero privacy in my own garden.

I would like to also note that there is very minimal space in the courtyard at the proposed premises meaning there are likely to be patrons congregating outside the front of the premises when it is busy and/or when they wish to have a cigarette. I would certainly not appreciate persons congregating outside of my home or indeed in the courtyard outside, again impeding my ability to enjoy my courtyard and/or impede access to my home. The pavement outside of the properties is incredibly narrow & access could be impeded very easily.

I feel I must also add that I am a young single woman. I am already concerned about my safety living alone as are almost all young single women. I already feel unsafe walking alone at night and if I need to leave my home or return home in the evening or night I would feel extreme anxiety if there were patrons of the bar outside my front door. I should not be put in this position.

In further regards to the narrow pavement this premises opens immediately onto a very busy main road. A road on which certain cars go straight through at high speed and also take the turn at a higher speed than they should. It does not seem at all safe to have inebriated persons leaving a premises on such a narrow pavement, immediately past residential homes, along a busy main road. There is also a risk that taxis or indeed other drivers, will pull up outside the bar to collect patrons (or even nip in to buy something) ignoring the double yellow lines present. This increases the risk of accidents and damage to my property as well as further noise disturbances. This would also apply to deliveries for his premises, especially large vehicles delivering kegs or crates.

I am also concerned that my property cannot accommodate having wheelie bins, I must put both my general waste and recycling outside the front of the property in bags to have it collected. Having seen the results of drunken patrons kicking rubbish bags on their way home at the last property I lived at I am concerned this would occur should this licence be granted. I also note that there are no plans for Mr Blakes waste disposal in his application, there is very limited space for bins at the property or surrounding area.

Further regarding waste, on a visit to my new home several months ago (which prior to my receiving the keys recently, had been empty since February 2022) we found the drain had become blocked by sewerage and the seller had to request attendance of a drain specialist. He was able to unblock the drain but advised the drains are rather shallow and shared with neighbouring properties making them not entirely fit for use. He suggested further issues be raised with the Water Board specifically because they are communal. I am concerned that if the drains became blocked by sewerage &

associated waste when my house was empty and there were only 1-2 staff present at Bazaar then how much worse is the situation going to be with increased use at a premises that not only comprises staff but members of the public. Especially as they will be drinking alcohol, a known diuretic.

The granting of this licence will also lower the value of my property. I have had this confirmed by several estate agents contacted by my solicitor. Should you grant the application, I may be utterly miserable in my home that I can no longer sell for enough to move to a different property. I have also contacted my buildings insurer and have been advised it will raise the cost of my buildings and contents insurance.

There are 14 public houses in Sudbury. 17 if you include the 3 in Great Cornard (granted I would accept The Brook is somewhat outside of the radius of an easy walk back to the town centre). There are many restaurants that serve alcohol also. There are also many, many empty properties in Sudbury town centre that are not terraced to a residential property nor have a residential flying freehold above them. It seems unnecessary to request a licence to turn this property into a premises that serves alcohol and is open for 11 hours per day when there are more appropriate premises available for this use. For example, per Birchall Steel there are properties for leasehold available on King Street (1), North Street (5), Borehamgate (1) and there is even a public house available for leasehold in Ballingdon!

I urge you, strongly, pleadingly, to decline Mr Blakes application for the sake of my right to enjoy my home (my first owned property, a property I should be allowed to love living in as a young person who has worked hard to purchase her first property), for my safety and for my sanity.

I would also like to request you not share my concerns or comments with Mr Blake as if you were to do so & also grant his application I would be extremely concerned about retaliatory or antagonistic behaviour on his part.

Sincerely

## **Representation 8**

### **Public Safety**

The premises has no provision for off road loading/unloading. The premises is on the busy crossroads A131//Stour Street/Gregory Street where loading & unloading from vehicles stopped by the premises would pose a danger to pedestrians using the narrow pavement in Gainsborough Street (A131) & School Street. Pedestrians would be at additional risk when attempting to cross this busy junction. This junction has a history of injury accidents.

### **Protection of children from harm**

Crossing these roads & using the pavements daily by children going to & from the two nearby primary schools would pose an additional risk to their safety from stopped vehicles, loading & unloading.

### **Prevention of public nuisance**

The small outside courtyard of the premises is actually at the rear of 25 Gainsborough Street. This would pose a noise nuisance to the occupants of no. 25 and other neighbours in this terraced street.

*Peter Cockett*  
91 North Street  
Sudbury  
CO10 1RF

## **Representation 9**

We object strongly to the application on the following grounds.

### Public safety.

The pavement along the stretch of road is too narrow as it is and there is also a dangerous junction adjoining the proposed premises where there have been several accidents with pedestrians and cars already. Coupled with poor street lighting and inebriated patrons this is a recipe for disaster.

Lack of nearby parking available for residents will be further impacted by the proposed premises.

Many residential properties near by with young children who will be impacted by late night noise.

There is no available smoking area at the proposed premises which will result in this happening on the street. This will cause a public nuisance and disorder.

Adjacent properties are residential which will be severely impacted by noise and disturbance at night.

Nowhere for deliveries to take place due to yellow lines and a busy main road.

Adrian Green  
32 Gainsborough Street  
Sudbury  
Suffolk  
Co10 2eu



## **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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