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CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

27 November 2017

Dear Councillor

You are summoned to attend the meeting of the;

LICENSING SUB-COMMITTEE on TUESDAY 5 DECEMBER 2017

Please note that the hearing will be held in the **COUNCIL CHAMBER. MALDON DISTRICT COUNCIL OFFICES, PRINCES ROAD, MALDON.**

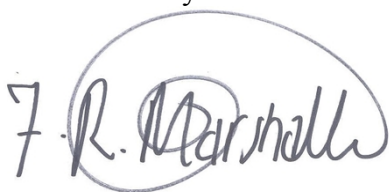
To consideration an application for the review of a Premises Licence, under the provisions of the Licensing Act 2003, at **10.00am**.

A Briefing for Members will not be held unless specifically requested. If clarification is needed or there are issues regarding the Hearing, procedural issues or any legal matters, please telephone Tara Bird to arrange this.

We ask that Members ensure they arrive at least 15 minutes prior to the Hearing to agree the Chairman.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'F. R. Marshall', enclosed within a circular blue ink stamp.

Chief Executive

COMMITTEE MEMBERSHIP

COUNCILLORS

M F L Durham, CC
A S Fluker
A K M St. Joseph
Mrs M E Thompson

(Members are reminded that the Sub-Committee comprises of three Members and therefore one Member will be asked to stand down provided three other members called to the meeting attend and can sit on the Sub-Committee).

MALDON DISTRICT COUNCIL

LICENSING ACT 2003 – HEARINGS OF THE LICENSING SUB-COMMITTEE

AIDE MEMOIR

The Chairman of the Hearing will open the Hearing and explain that the Sub-Committee's role is to determine applications and other matters under the Licensing Act 2003. He will then introduce Members and Officers present.

1. A brief outline of the application will be given by the Licensing Officer.
2. The Chairman of the Hearing will then outline the procedure to be followed. He should ensure that all representations, witness statements and hearing papers (by stating what they are) have already been read and that there is no need to repeat these. Should there be any late documentation in support of a representation or application, it may be introduced with the consent of all parties.
3. All people present to identify themselves by name and address and who they represent.
4. The Applicant to make an opening statement.
5. The Applicant to call witnesses.
6. Any person calling a witness must not ask leading questions of him/her, i.e. by phrasing a question in such a way that the answer is suggested in that question.
7. Each Responsible Authority and/or Interested Party (or their spokesperson) will take turns (in an order to be determined by the Chairman) and may make an opening statement and may then call witnesses until every party has been heard.
8. Members of the Sub-Committee may ask questions to elicit information from any party at any time during the Hearing.
9. The Hearing shall take the form of a discussion led by the Members of the Licensing Authority. Cross examination of applicants, witnesses and persons making representations shall not be permitted unless it is considered to be required in order to properly consider the matter to be determined.
10. Each Responsible Authority and/or Interested Party (or their spokesperson) then makes closing statements in turn.
11. The Applicant then makes a closing statement.
12. The Chairman to then deal with issues arising from any person excluded from the Hearing and to ask if everyone has said what they want to say.
13. Members of the Sub-Committee should then discuss the evidence and representations made before reaching their decision. All parties (except the Committee Clerk and if requested the Legal Advisor to the Sub-Committee) will be asked to leave whilst the Sub-Committee Members make their determination. Alternatively, the Members of the Sub-Committee may retire to another room.
14. Where required, the Sub-Committee will announce its determination at the conclusion of the hearing and will give its reasons for it.
15. In any other cases the determination will be given within five working days (beginning with the day on which the hearing was held).

Note: Any reference in these Procedure Notes to an Applicant, Responsible Authorities or Interested Parties includes a person who may be representing them.

Suggestion for Chairman's introduction at the commencement of the Hearing.

‘Good morning and welcome to the meeting of the Licensing Sub-Committee of the Maldon District Council.

We are sitting today under the Licensing Act 2003 to hear and determine applications made under the Act.

I am Councillor _____ and I have been appointed Chairman for this meeting.

The other Members are Councillors _____ and

.

The notes of this meeting are being taken by Tara Bird who is on my left.

The Legal Advisor is Mr Simon Quelch and the Licensing Officer is Mr Matthew Evans.

Mr Evans will now introduce the matter that is before us today.’

THE CHAIRMAN WILL NOW FOLLOW THE AIDE MEMOIR FROM POINT 2

Suggestion for the Chairman's announcement of the determination of the application.

‘Having heard the submissions from both parties and having particular regard to the licensing objective for the (*detail appropriate licensing objective*), we hereby determine that the application for the review of a Premises Licence (*or Club Premises Certificate if appropriate*) is granted as applied for subject to the following conditions:-

(Chairman to read out any amendments to the schedule of times for each Licensable Activity by referring to the relevant boxes on the Officer's Report).

(Chairman to read out any additional conditions imposed)

The Chairman to conclude Hearing by saying:

‘This concludes the Hearing. Thank you for your attendance. The formal decision will be notified to all parties by the Officers within the next few days.’



AGENDA
LICENSING SUB-COMMITTEE

TUESDAY 5 DECEMBER 2017

1. **To appoint a Chairman for hearing**
2. **Chairman's notices (please see overleaf)**
3. **Apologies for Absence**
4. **Licensing Act 2003 - Application to review Premises Licence - Warwick Arms, 185 High Street, Maldon, Essex, CM9 5BU** (Pages 7 - 146)

To consider the report of the Director of Customers and Community, (copy enclosed).

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

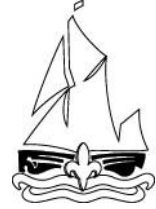
Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Television (CCTV)

This meeting is being monitored and recorded by CCTV.

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REPORT of DIRECTOR OF CUSTOMERS AND COMMUNITY

**to
LICENSING SUB-COMMITTEE
5 DECEMBER 2017**

LICENSING ACT 2003 - APPLICATION TO REVIEW PREMISES LICENCE - WARWICK ARMS, 185 HIGH STREET, MALDON, ESSEX, CM9 5BU

1. PURPOSE OF THE REPORT

- 1.1 The Committee is requested to consider an application for a review of the premises licence for Warwick Arms, 185 High Street, Maldon, by Essex Police Licensing on the grounds of all four of the licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm, having regard to the representations received and the requirement to promote the four licensing objectives.

2. RECOMMENDATION

That the Licensing Sub-Committee determines the application for a Review of a Premises Licence taking into consideration the options that are available as detailed in 5.1 below.

3. SUMMARY OF KEY ISSUES

- 3.1 The premises is a public house with a licence to serve alcohol both on and off the premises. There is a car park and outside seating area to the rear of the premises.
- 3.2 This is an application for a review of a premises licence requesting the maximum period of suspension along with further conditions attached to the licence. A full list of suggested conditions has been provided by Essex Police forming part of the documentary evidence supporting this review application. A copy of the current premises licence is attached at **APPENDIX A**.
- 3.3 The premises licence authorises the following licensable activities:
- Indoor Sporting Event;
 - Performance of Live Music;
 - Performance of Recorded Music;
 - Sale by Retail of Alcohol.

- 3.4 The application has been properly made and all procedures correctly followed. The completed application to review along with all documentary evidence is attached as **APPENDIX B**.
- 3.5 During the course of this application, notice was given by the applicant to all the relevant responsible authorities.
- 3.6 There has been a representation received from Maldon District Council Environmental Protection. This is shown as **APPENDIX C**.
- 3.7 There were 11 representations (although one has subsequently been withdrawn) received from Interested Parties, one of which is in support of the premises.
- 3.8 During the 28 day consultation period it came to the attention of the Licensing Authority that a letter had been circulated to residents living near to the Warwick Arms assuring anyone who made representation would be granted automatic anonymity. The letter could easily have been misinterpreted as having been sent on behalf of Maldon District Council. This letter is shown as **APPENDIX D**.
- 3.9 It was deemed necessary in the circumstances to extend the deadline for the hearing in order to allow time to contact all residents who made representation explaining that automatic anonymity is not a blanket right, and a letter was sent to all interested parties on 24 October 2017 asking them to contact the Licensing Authority if they wanted their representation to be considered anonymously. All interested parties were reminded of their entitlement to withdraw their representation. A copy of the letter is shown as **APPENDIX E**.
- 3.10 Following the letter sent on 24 October 2017, Maldon District Council received detailed requests for anonymity and one interested party has withdrawn their representation. On careful consideration of the matter, and reading the statutory guidance published in accordance with Section 182 of the Licensing Act 2003, the Licensing Authority has taken the view that personal details will be redacted from all representations received, however, Members are advised that all those who have made representation live in Victoria Road, North Street or the High Street, within the vicinity of the premises. A copy of representations received is shown as **APPENDIX F**, and these have been individually numbered for ease of reference.
- 3.11 A plan is reproduced indicating the location of the premises. The plan is attached as **APPENDIX G**.

4. CONCLUSION

- 4.1 Members are advised that they have the following options when determining this application.
1. To modify the conditions of the licence either permanently or for a period not exceeding three months
 2. To exclude a licensable activity from the scope of the licence, either permanently or for a period not exceeding three months

3. Remove the Designated Premises Supervisor.
 4. To suspend the licence for up to three months
 5. Revoke the licence
- 4.2 Members are reminded that the applicant and/or any person making representation in relation to this matter may appeal the decision of the Council to the Magistrates' Court.

5. IMPACT ON CORPORATE GOALS

- 5.1 The following four Corporate Goals underpin the Council's vision for the District:
- Enabling, supporting and empowering communities to be safe, active and healthy;
 - Protecting and shaping the District and balancing the future needs of the community;
 - Meeting the housing needs of the District; and
 - To be an organisation which delivers good quality, cost effective and valued services in a transparent way.
- 5.2 This report supports the Council's corporate goal of, 'Enabling, supporting and empowering communities to be safe, active and healthy.'

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial and human)** – None.
- (v) **Impact on the Environment** – None.

Background Papers:

1. Statutory Guidance issued in accordance with S.182 of the Licensing Act 2003
2. Maldon District Council's Statement of Licensing Policy
3. The Licensing Act 2003

Enquiries to: Matthew Evans, Licensing Officer, (Tel: 01245 606727).

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Regulation 33, 34

Premises Licence *Maldon District Council*

Premises Licence Number

05/00719/LAPRE 040

Part 1 – Premises Details
Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Telephone number 01621 850122

Where the licence is time limited the dates
Licensable activities authorised by the licence

Indoor Sporting Event
Performance of Live Music
Performance of Recorded Music
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

| | |
|------------------------------------|---------------|
| Indoor Sporting Event | |
| Friday and Saturday | 10:00 - 01:00 |
| Monday - Thursday including Sunday | 10:00 - 00:00 |
| Performance of Live Music | |
| Fridays, Saturdays and Sundays | 19:00 - 23:00 |
| Performance of Recorded Music | |
| Fridays, Saturdays and Sundays | 10:00 - 00:00 |
| Monday - Thursday | 10:00 - 23:30 |
| Sale by Retail of Alcohol | |

| | |
|------------------------------------|---------------|
| Friday and Saturday | 10:00 - 00:30 |
| Monday - Thursday including Sunday | 10:00 - 23:30 |

The opening hours of the premises

| | |
|-------|---------------|
| 1_MON | 10:00 - 00:00 |
| 2_TUE | 10:00 - 00:00 |
| 3_WED | 10:00 - 00:00 |
| 4_THU | 10:00 - 00:00 |
| 5_FRI | 10:00 - 01:30 |
| 6_SAT | 10:00 - 01:30 |
| 7_SUN | 10:00 - 00:00 |

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

Alcohol is supplied for consumption both on and off the Premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

A & E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

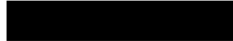
Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Emily Saffill
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

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:



Licensing Authority: Maldon District Council

Date... 14th September 2005

*This Premises Licence issued
in accordance with Section 18
of the Licensing Act 2003*

.....
Maldon District Council Licensing Authority

Issued on 13th September 2013 following a variation of the DPS

Annex 1 – Mandatory conditions

- 1 Where premises authorise the supply of alcohol no supply of alcohol may be made under the premises licence-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- 2 Where the film body has specified in the licence, admission of children (aged under 18) must be restricted in accordance with any recommendation made by that body.

Where

- a) the film classification body is not specified in the licence, or
 - b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
- admission of children must be restricted in accordance with any recommendation made by the licensing authority.

- 3 Where a premises licence includes a condition that at specified times individuals must be at the premises to carry out a security activity(s) each individual must, be licensed by the Security Industry Authority.

4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–

(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(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;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) 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.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) 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 a holographic mark.
8. The responsible person shall 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: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures

Annex 2 – Conditions consistent with the Operating Schedule

1 Persons who appear to be under the age of [18/21] years shall be required to produce proof of age by way of one of the following:

- a recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS)
- photo driving licence
- passport
- Citizen card supported by the Home Office
- Official ID card issued by HM Forces or European Union bearing a photograph and birth of the holder

2 The licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and regularly attend at the meetings of the Pub, Club or Off Watch schemes for the area within which the premises is located.

3 All exits are to remain free from obstruction from furniture or entertainment equipment at all times and especially during the performances of regulated entertainment.

4 All fire safety equipment to be maintained or replaced according to the fire safety certificate or by any manufacturer's guidelines.

5 Whilst there is any performance of live music and the playing of recorded music all doors to the premises will be closed. The entry and exit of customers will be monitored by staff during these periods to ensure that the doors do not remain open.

6 When Live and recorded music is played all windows to the premises will remain closed. Noise levels in side and outside the premises will be regularly monitored by staff.

Annex 3 – Conditions attached after a hearing by the licensing authority

- 1 No Glasses or opened bottles shall be taken from the premises and consumed outside the premises and notices to this effect shall be displayed prominently at each exit of the premises
- 2 The sale of alcohol will be extended and the Non Standard timings as follows:

Christmas Eve : 10:00 - 01:00

Bank Holidays 10:00 - 00:30

St George's Day 23rd April 10:00 - 00:30
St Patricks Day 17th March
St Valentines Day 14th February
- 3 Hours the premises are open to the Public when extended on the following days:

Christmas Day 10:00 - 02:00

New Years Eve 10:00 - 00:00 New Years Day

Bank Holiday weekends on Friday and Saturday.
St Georges Day
St Patricks Day
St Valentines Day 10:00 - 01:30
- 4 In consultation with Environmental Protection and if deemed necessary by an Environmental Health Officer / Technician a noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music and announcement at the premises. The noise limiting device shall be connected to all permanent music and public address equipment and all available mains power sockets within the area of the stage/music equipment. Once set such a device should be inaccessible to the licensee or staff.

Note to the applicant

The use of noise limiters does not necessarily solve or prevent noise nuisance. To be wholly effective they must be used in conjunction with other measures and structural attenuation, and need regular calibration / checking by the owner or operator. Maintenance records must be kept for 12 months.

Annex 4 – Plans



Regulation 33, 34

Premises Licence Summary

Maldon District Council

Premises Licence Number

05/00719/LAPRE 040

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Telephone number 01621 850122

Where the licence is time limited the dates

Licensable activities authorised by the licence

Indoor Sporting Event
Performance of Live Music
Performance of Recorded Music
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

| | |
|------------------------------------|---------------|
| Indoor Sporting Event | |
| Friday and Saturday | 10:00 - 01:00 |
| Monday - Thursday including Sunday | 10:00 - 00:00 |
| Performance of Live Music | |
| Fridays, Saturdays and Sundays | 19:00 - 23:00 |
| Performance of Recorded Music | |
| Fridays, Saturdays and Sundays | 10:00 - 00:00 |
| Monday - Thursday | 10:00 - 23:30 |
| Sale by Retail of Alcohol | |

| | |
|------------------------------------|---------------|
| Friday and Saturday | 10:00 - 00:30 |
| Monday - Thursday including Sunday | 10:00 - 23:30 |

The opening hours of the premises

| | |
|-------|---------------|
| 1_MON | 10:00 - 00:00 |
| 2_TUE | 10:00 - 00:00 |
| 3_WED | 10:00 - 00:00 |
| 4_THU | 10:00 - 00:00 |
| 5_FRI | 10:00 - 01:30 |
| 6_SAT | 10:00 - 01:30 |
| 7_SUN | 10:00 - 00:00 |

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

Alcohol is supplied for consumption both on and off the Premise

Name, (registered) address of holder of premises licence

A & E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Registered number of holder, for example company number, charity number (where applicable)**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Emily Saffill

State whether access to the premises by children is restricted or prohibited

Allowed - See Conditions

Date... 14TH September 2005

*This Premises Licence issued
in accordance with Section 18
of the Licensing Act 2003*

.....
Maldon District Council Licensing Authority

Issued 13th September 2013 following a variation of the DPS

IN THE MATTER OF:

APPLICATION FOR REVIEW OF PREMISES LICENCE

ESSEX POLICE SERVICE

Applicant

A F E Leisure (Trading as Warwick Arms)

Premises Licence Holder

| Page | CONTENT |
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| 1 | COPY – REVIEW APPLICATION |
| 9 | STATEMENT OF TRUTH – Police Licensing Officer |
| 15 | APPENDIX A – PREMISES LICENCE |
| 26 | APPENDIX B – Police Visits |
| 43 | APPENDIX C – Police Intelligence summary |
| 46 | APPENDIX D – Relevant emails and Correspondence |
| 63 | APPENDIX E – EHO Noise Abatement Notice |
| 66 | APPENDIX F – Police Incidents |
| 68 | APPENDIX G – Police suggested conditions |
| | EXHIBIT NAD/1 & 3 – Media Disc provided separately |
| 71 | EXHIBITS NAD/2 & 4 |
| | |

Application for the review of a premises licence or club premises certificate 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 NIGEL DERMOTT 42076439 (Police Licensing Officer – Chelmsford & Maldon)

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

| | |
|--|-----------------------------|
| WARWICK ARMS 185 High Street | |
| Post town MALDON | Post code CM9 5BU |
| Name of premises licence holder or club holding club premises certificate (if known) A & E Leisure The Warwick Arms 185 High Street, Maldon, CM9 5BU | |
| Number of premises licence or club premises certificate (if known) 05/00719/LAPRE 040 | |

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

X

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

☐

Mrs

☐

Miss

☐

Ms

☐Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐Current postal
address if
different from
premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Name and Address: Mr Nigel Dermott Essex Police County Licensing hub Braintree Police Station Blyths Meadow Braintree Essex Police CM7 3DJ |
| Telephone number (if any) 01245 452035 |
| E-mail address (optional) licensing.applications@essex.pnn.police.uk |

This application to review relates to the following licensing objective(s)

- | | |
|---|---------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | x |
| 2) public safety | x |
| 3) the prevention of public nuisance | x |
| 4) the protection of children from harm | x |

Please state the ground(s) for review (please read guidance note 2)

These premises have been granted a premises licence by Maldon District Council and authorised for the sale and supply of alcohol each day from 10:00 until 23:30hrs daily except Friday to Saturday when sale and supply of alcohol may be made between 10:00 – 00:30hrs, recorded music from 23:00 – 23:30 daily except Friday Saturday and Sunday when recorded music can be performed from 23:00 – 00:00hrs in addition to that allowed by deregulation. The premises opening hours are from 10:00 – 00:00 daily and until 01:30 Friday and Saturday.

Alcohol may be sold on and off of the premises and the business is essentially a public house.

From Essex Police records it appears that premises licence was transferred to the current licence holder in January 2013.

.....

This review application is submitted, relevant to the Licensing objectives namely;

- The prevention of crime and disorder
- Prevention of public nuisance
- Prevention of harm to children

And the consequential impact these each will have in respect of:

- Public Safety

The current police licensing officer took up his post in January 2016 and was aware of a serious stabbing incident connected with the premises and a drug raid that resulted in very little drugs found on

persons and some found on the premises.

In an effort to 'draw a line' under the historical incidents a visit was made to the premises on 15th April 2016 where the designated Premises Supervisor (DPS) - Emily Saffil – and her mother – Andrea Saffil – were both present. Efforts were made to bring about change at the venue and the management were very engaging and seemed very anti-drugs. The DPS was rarely at the premises due to full time employment elsewhere during the day, with the day to day running of the business left with Andrea, both of whom live on the premises. The main changes discussed were to incorporate the excellent CCTV system that they had had installed onto the licence as a condition and vary the licence so that Andrea was nominated as the DPS (having more day to day control) but this has not been submitted. Screening tests of surfaces around the venue showed minor traces of cocaine in the toilet area, pool table and sofa. A compliance letter was sent to the DPS confirming discussion, as minutes of that meeting and will be made available to interested parties.

A further eight (9) recorded visits have been made to the premises since that visit in April 2016 where a number of recurring issues were discussed with the management, the details of which will be made available.

During this time there were a few incidents including one of a particularly serious assault in the smoking area on 6th May 2017. CCTV evidence will be provided in relation to that matter.

During one of the recent visits two youths were found by the police licensing officer within an outbuilding at the rear of the premises. Both of them were smoking cannabis and estimated to have been about 15 & 16yrs old. This was brought to the attention and shown to Andrea Saffil.

The premises are subject to a noise abatement order issued by Maldon District council.

Due to the number and nature of complaints received by the public, and also via the environmental health authority together with a total of 31 police information reports, the police licensing officer made a visit in the early hours of Sunday 13th August 2017 where he noted a number of breaches on the conditions on the licence including selling alcohol out of hours, unauthorised loud music and drinking from glasses on the High Street. During this visit he observed customer behaviour and watched two customers 'line' cocaine off of the back of their hands in Victoria Road and return to the premises. Further complaints and reports were received over that weekend.

.....

It can therefore be shown that over this time period a number of visits were made and the management have been very engaging. These visits demonstrate that the Home Office 'Problem Premises' has been followed, despite which very little change has occurred and lately appears to have gathered further momentum.

The number and nature of complaints that have been dealt with recently show that the noise abatement order has had little effect and that the causal links with the premises in connection with crime and known drug users and suppliers can demonstrate that on the balance of probability each of the licensing objectives have been systematically undermined.

It is fair to say that the management have been engaging and co-operative with police investigations, but the final analysis and conclusion by Essex Police must now be that the customers are in control of the business with no effective management taking place that is able to promote the licensing objectives, and that the failure of such will inevitably have an impact on public safety.

Essex Police will be submitting evidence in support of their representations recommending that a number of procedural issues be addressed together with further conditions that:

- reduce the hours permitting the sale of alcohol
- address the unnecessary drinking up periods created through the current opening hours
- Restrict consumption of alcohol to within the building only
- Limit the numbers of persons using the rear yard at any one time for smoking
- Seek a condition in respect of any off sales made only in sealed containers

- Formal training be provided to staff and subject to refresher training
- Provision of an incident book
- Provision of a refusal register
- Use of Polycarbonate glassware
- Decanting bottled drinks
- The provision of CCTV

In addition, Essex Police would be seeking a maximum period of suspension in order to bring about the significant changes expected in customer behaviour than at present.

Please provide as much information as possible to support the application (please read guidance note 3)

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

| Day | | Month | | Year | |
|-----|---|-------|---|------|---|
| ↓ | ↓ | ↓ | ↓ | ↓ | ↓ |

If you have made representations before relating to the premises please state what they were and when you made them

NONE

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate x
- I understand that if I do not comply with the above requirements my application will be rejected x

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

Mr. Nigel Dermott

Date

September 2017

Capacity for and on behalf of Chief Constable of Essex Police

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Mr Nigel Dermott
Essex Police
County Licensing hub
Braintree Police Station
Blyths Meadow

Post town

Braintree

Post Code

CM7 3DJ

Telephone number (if any) 01245 452035

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) licensing.applications@essex.pnn.police.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Before the Maldon District Council Licensing Sub-committee

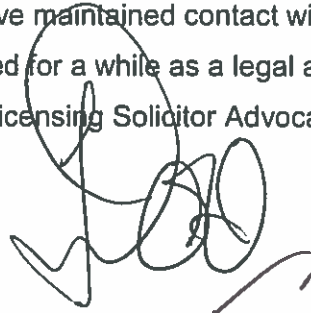
Application to review a Premises Licence The Warwick Arms, 185 High Street, Maldon, CM9 5BU

Nigel Anthony Dermott

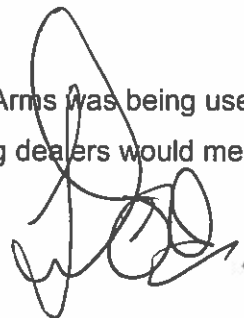
Essex Police Licensing Officer for Chelmsford & Maldon

Statement

1. I Nigel Dermott, will say as follows:-
2. After 31yrs service I am now a retired Essex Police Sergeant and the police licensing officer covering the Essex Police Districts of Chelmsford and Maldon.
3. My previous police service and experience enables me to advise the licensing trade in respect of best practice within the Licensing Industry. During the latter part of my service I was the project manager for Essex Police in respect of the Licensing Act 2003 and wrote police policy and delivered training, in preparation for the commencement of the current Act. This required a period of secondment with the Home Office and involvement me to develop national policy and act as a field officer during the Alcohol Misuse Enforcement Campaigns in 2004/5 and lead on Penalty Notices for Disorder.
4. I have a post graduate certificate in respect of crime prevention and problem solving with the Jill Dando Institute of Crime Science (UCL) and am a qualified Licensing practitioner and member of the British Institute of Innkeeping. I am also a qualified drug and alcohol counsellor with the Central School of Counselling Therapy.
5. Although retiring from police service in 2006 I have maintained contact with licensing matters as a self-employed consultant and worked for a while as a legal advisor on best practice, policy and training with a leading Licensing Solicitor Advocate before formally taking up my current role.

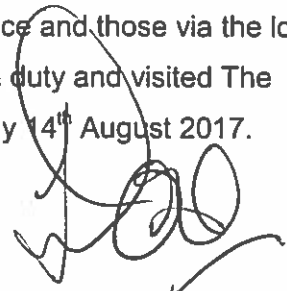


6. I am authorised by the Chief Constable of Essex Police to make representations on his behalf under the Licensing Act 2003.
7. The Warwick Arms Public House 185 High Street Maldon CM9 5BU is authorised for the sale of alcohol and provision of regulated entertainment in accordance with a premises licence issued by Maldon District Council number 05/00719/LAPRE040, a copy of which is attached at **Appendix A**.
8. I first visited the Warwick Arms PH and met with the Designated Premises Supervisor (DPS) Emily Safill and her mother, Andrea Safill at 1200hrs on Friday 15th April 2016 where I had a conversation with them about previous issues involving a stabbing and a drug raid, in an effort to draw a line under historical events.
9. That first meeting went well with both Emily and Andrea being very engaging and the prospect of a minor variation to the licence and change of DPS. A check of the venue resulted in some advice around drug issues and I sent a formal notification of minutes for that meeting to the DPS.
10. A further 11 visits have been made to those premises since that initial visit and a summary of those visits and copies of minutes and related correspondence mentioned above is included at **Appendix B**.
11. The main theme around many of these meetings has mainly been around few investigations but numerous intelligence reports of drug use and noise complaints where I have shared the information that I am able, in accordance with the Data Protection Act so that individual persons cannot be identified.
12. Police intelligence by its nature is always very sensitive and undergoes rigorous processes in order to determine the accuracy of the information. Due to the security policy around that information I am unable to copy or print out these reports but have reproduced a redacted résumé at **Appendix C**.
13. From that intelligence it seemed clear that the Warwick Arms was being used as a known location from which to deal drugs or at which drug dealers would meet. But

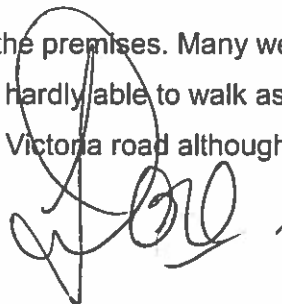
A handwritten signature in black ink, appearing to be 'J. Lee', is written over the end of the 13th list item.

the management would always display a robust attitude toward any drug dealing on the premises and were always very co-operative at our meetings.

14. That co-operative attitude led to the provision of CCTV being provided in connection with an investigation that other officers in Essex Police were engaged with and that has recently been made known to me as a matter involving violence within the rear external drinking area involving known drug offenders. No formal complaints were ever made to Essex Police in connection with that matter and the investigation remains on file.
15. On 20th May 2017 - when collecting the CCTV in relation to that incident - I parked up in the carpark next to some outbuildings that were half built and being developed as accommodation. Within those buildings I saw two young person's smoking Cannabis. I would estimate their ages at about 15 – 16yrs.
16. Wanting to bring this matter to the attention of the management, I summoned Andrea Saffill and together we challenged them to which they briefly apologised and ran off.
17. The CCTV that was being collected was provided on an external hard drive and comprised of a considerable amount of footage over the whole of the trading period across all cameras at the Warwick on 6th May 2017. I produce a copy of the evidential part of that footage in respect of the incident mentioned at paragraph 14 as exhibit **NAD/1**.
18. Since this occasion I have had some involvement with a number of complaints from residents in respect of noise, foul language, music being played into the early hours of the morning, long drinking hours, suspected drug dealing between customers and cars arriving and on occasion persons seen snorting drugs from the dashboards of vehicles. I have also been copied in to those contacts by the Environmental Health officers at Maldon District Council. Many of these contacts have been verbal conversations. I present a selection of material at **Appendix D**.
19. Following up on a series of complaints received at my office and those via the local Environmental Health Officer for Maldon Council I was on duty and visited The Warwick Arms Public House at about 00:05hrs On Sunday 14th August 2017.

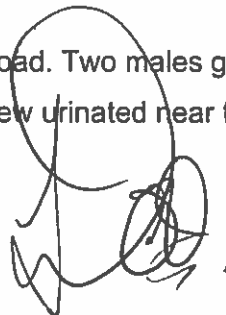


20. The licence permits the sale of alcohol on Saturdays until 00:30hrs, live music until 23:00hrs and recorded music until 00:00hrs. The premises should be closed on a Saturday night at 01:30hrs.
21. Of the conditions that are relevant during that visit, the premises licence has a challenge 21 policy, all doors and windows are to remain closed when playing any music, noise levels are to be regularly monitored and no bottles or glasses shall be taken from the premises and consumed outside the premises.
22. I sat outside the premises in my vehicle which was parked in Victoria Road, situated at the side of the venue and almost adjacent to the rearmost vehicular access into the car park.
23. I noticed that there were several persons stood outside the front door holding glasses and bottled drinks in contravention of the conditions. I took a photograph of those persons at 00:05hrs and produce this as exhibit **NAD/2**.
24. I remained in my vehicle and took a number of sound recordings which I produce collectively as exhibit **NAD/3**. These give an idea of the noise levels that I was hearing which included swearing, shouting, animalistic noises and loud singing.
25. I noted that some of the windows and the rear door was open and that the Karaoke type music was being played extremely loud and clearly audible from my vehicle with my windows wound down. The nearest residence to my vehicle was less than 2 metres away and the nearest residence to the PH about 6 metres, being directly across the highway. The music was in contravention of the music allowed on the licence and continued until about 00:20hrs.
26. I am aware that there is noise abatement notice in force in respect of these premises issued by the local authority. A copy of the noise abatement order can be found at **Appendix E**.
27. During this time I saw a number of persons coming from the premises. Many were very unsteady on their feet and shouting loudly. One was hardly able to walk as he passed my vehicle. One person came out and vomited in Victoria road although I

A handwritten signature in black ink, appearing to be 'J. Orl', is written over the end of paragraph 27.

was unable to see into the smoking shelter in the rear yard due to the obstruction of the outbuilding. There were so many persons carrying drink filled glasses walking away from the premises that I lost count. Many of those described were clearly very intoxicated. Some were also wandering off up the High Street with full glasses of drink.

28. At 00:29hrs four males came out of the venue, shouting very loud and making loud 'beat box' sounds. The group appeared very intoxicated with each carrying drink in glasses. Two in particular appeared to look very young indeed and I was of the opinion that although unable to substantiate, they were either under 18yrs or very close to it. I produce a photograph of the group as exhibit **NAD/ 4**
29. They were very loud and shouting, and at one point two of them put their drink down and sniffed what appeared to be cocaine off of the back of their hands making euphoric animal sounds and increasing the noise levels. Shortly afterwards they returned to the premises with their drink and I heard one shout quite clearly 'let's go and suck a black man's cock'.
30. I noted that a number of residences had their bedroom windows open and was of the opinion that this could probably be clearly heard by the occupants.
31. I then left my vehicle and went for a walk around the premises. Opposite the premises in the High Street are a number of residential flats. Standing among the flats at around 00:45 I had a clear unobstructed view of the bars and into the venue. I could see bar staff continuing to serve drinks across the bar and activity carrying on as normal. The weather was very clear that evening and I would estimate that I was about 15 metres from the front of the premises.
32. At around 00:50hrs I returned to my vehicle and noted in passing the smoking shelter that there were 19 persons in that area drinking and causing considerable noise. At no time did I see any management come out and talk to any customers.
33. Whilst still sitting in my vehicle a taxi pulled up in Victoria road. Two males got out and one went to the rear of the outbuildings and in clear view urinated near the back gate entrance. They both then entered the premises.



34. Due to the drug taking, intoxication and noise, I decided not to enter the premises as I was alone, without any communications other than my personal phone and was of the opinion that any intervention at that time of the morning by a representative of Essex Police was unlikely to be met very well.

35. At 00:55hrs I left the area.

36. After consultation with my line management I submitted an application for a review of the premises licence on 12th September after informing Andrea Saffill of Essex Police intention to do so. During that conversation I was satisfied that the management were failing to accept any responsibility for their actions in attempting to draw attention to other licensed premises in the high Street in respect of which I had very little information.

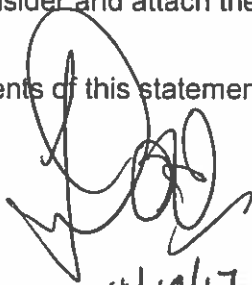
37. I later caused an enquiry in respect of our command and control system and produce a summary of incidents at **Appendix F**.

38. I also caused an enquiry in respect of any crimes reported for investigation at the premises. There are three relevant incidents of reported crime which I have referenced and highlighted in bold font within the intelligence summary (Appendix C) and summary of STORM incidents (Appendix E)

39. Essex Police make a number of suggested proposals for the licensing sub-committee to consider and attach these items at **Appendix G**.

The contents of this statement are true to the best of my knowledge and belief.

Signed:

A handwritten signature in black ink, appearing to be 'J. [unclear]', written over the 'Signed:' label.

Dated:

4/10/17

APPENDIX A

Premises Licence



Regulation 33, 34

Premises Licence *Maldon District Council*

Premises Licence Number

05/00719/LAPRE 040

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Telephone number 01621 850122

Where the licence is time limited the dates

Licensable activities authorised by the licence

Indoor Sporting Event
Performance of Live Music
Performance of Recorded Music
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

| | |
|------------------------------------|---------------|
| Indoor Sporting Event | |
| Friday and Saturday | 10:00 - 01:00 |
| Monday - Thursday including Sunday | 10:00 - 00:00 |
| Performance of Live Music | |
| Fridays, Saturdays and Sundays | 19:00 - 23:00 |
| Performance of Recorded Music | |
| Fridays, Saturdays and Sundays | 10:00 - 00:00 |
| Monday - Thursday | 10:00 - 23:30 |

| | |
|------------------------------------|---------------|
| Sale by Retail of Alcohol | |
| Friday and Saturday | 10:00 - 00:30 |
| Monday - Thursday including Sunday | 10:00 - 23:30 |

The opening hours of the premises

| | |
|-------|---------------|
| 1_MON | 10:00 - 00:00 |
| 2_TUE | 10:00 - 00:00 |
| 3_WED | 10:00 - 00:00 |
| 4_THU | 10:00 - 00:00 |
| 5_FRI | 10:00 - 01:30 |
| 6_SAT | 10:00 - 01:30 |
| 7_SUN | 10:00 - 00:00 |

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

Alcohol is supplied for consumption both on and off the Premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

A & E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Emily Saffill
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

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: 13/00359/LAPER

Licensing Authority: Maldon District Council

Date... 14th September 2005

*This Premises Licence issued
in accordance with Section 18
of the Licensing Act 2003*

.....
Maldon District Council Licensing Authority
Issued on 13th September 2013 following a variation of the DPS

Annex 1 – Mandatory conditions

- 1 Where premises authorise the supply of alcohol no supply of alcohol may be made under the premises licence-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 2 Where the film body has specified in the licence, admission of children (aged under 18) must be restricted in accordance with any recommendation made by that body.

Where

 - a) the film classification body is not specified in the licence, or
 - b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by the licensing authority.
- 3 Where a premises licence includes a condition that at specified times individuals must be at the premises to carry out a security activity(s) each individual must, be licensed by the Security Industry Authority.
4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) 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 a holographic mark.
8. The responsible person shall 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: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures

Annex 2 – Conditions consistent with the Operating Schedule

1 Persons who appear to be under the age of [18/21] years shall be required to produce proof of age by way of one of the following:

- a recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS)
- photo driving licence
- passport
- Citizen card supported by the Home Office
- Official ID card issued by HM Forces or European Union bearing a photograph and birth of the holder

2 The licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and regularly attend at the meetings of the Pub, Club or Off Watch schemes for the area within which the premises is located.

3 All exits are to remain free from obstruction from furniture or entertainment equipment at all times and especially during the performances of regulated entertainment.

4 All fire safety equipment to be maintained or replaced according to the fire safety certificate or by any manufacturer's guidelines.

5 Whilst there is any performance of live music and the playing of recorded music all doors to the premises will be closed. The entry and exit of customers will be monitored by staff during these periods to ensure that the doors do not remain open.

6 When Live and recorded music is played all windows to the premises will remain closed. Noise levels in side and outside the premises will be regularly monitored by staff.

Annex 3 – Conditions attached after a hearing by the licensing authority

- 1 No Glasses or opened bottles shall be taken from the premises and consumed outside the premises and notices to this effect shall be displayed prominently at each exit of the premises
- 2 The sale of alcohol will be extended and the Non Standard timings as follows:
 Christmas Eve : 10:00 - 01:00
 Bank Holidays 10:00 - 00:30
 St George's Day 23rd April 10:00 - 00:30
 St Patricks Day 17th March
 St Valentines Day 14th February
- 3 Hours the premises are open to the Public when extended on the following days:
 Christmas Day 10:00 - 02:00
 New Years Eve 10:00 - 00:00 New Years Day
 Bank Holiday weekends on Friday and Saturday.
 St Georges Day
 St Patricks Day
 St Valentines Day 10:00 - 01:30
- 4 In consultation with Environmental Protection and if deemed necessary by an Environmental Health Officer / Technician a noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music and announcement at the premises. The noise limiting device shall be connected to all permanent music and public address equipment and all available mains power sockets within the area of the stage/music equipment. Once set such a device should be inaccessible to the licensee or staff.

Note to the applicant

The use of noise limiters does not necessarily solve or prevent noise nuisance. To be wholly effective they must be used in conjunction with other measures and structural attenuation, and need regular calibration / checking by the owner or operator. Maintenance records must be kept for 12 months.

Annex 4 – Plans



Regulation 33, 34

Premises Licence Summary

Maldon District Council

Premises Licence Number

05/00719/LAPRE 040

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Telephone number 01621 850122

Where the licence is time limited the dates

Licensable activities authorised by the licence

Indoor Sporting Event
Performance of Live Music
Performance of Recorded Music
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

| | |
|------------------------------------|---------------|
| Indoor Sporting Event | |
| Friday and Saturday | 10:00 - 01:00 |
| Monday - Thursday including Sunday | 10:00 - 00:00 |
| Performance of Live Music | |
| Fridays, Saturdays and Sundays | 19:00 - 23:00 |
| Performance of Recorded Music | |
| Fridays, Saturdays and Sundays | 10:00 - 00:00 |
| Monday - Thursday | 10:00 - 23:30 |

| | |
|------------------------------------|---------------|
| Sale by Retail of Alcohol | |
| Friday and Saturday | 10:00 - 00:30 |
| Monday - Thursday including Sunday | 10:00 - 23:30 |

The opening hours of the premises

| | |
|-------|---------------|
| 1_MON | 10:00 - 00:00 |
| 2_TUE | 10:00 - 00:00 |
| 3_WED | 10:00 - 00:00 |
| 4_THU | 10:00 - 00:00 |
| 5_FRI | 10:00 - 01:30 |
| 6_SAT | 10:00 - 01:30 |
| 7_SUN | 10:00 - 00:00 |

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

Alcohol is supplied for consumption both on and off the Premise

Name, (registered) address of holder of premises licence

A & E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Registered number of holder, for example company number, charity number (where applicable)**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Emily Saffill

State whether access to the premises by children is restricted or prohibited

Allowed - See Conditions

Date... 14th September 2005

*This Premises Licence issued
in accordance with Section 18
of the Licensing Act 2003*

.....
Maldon District Council Licensing Authority

Issued 13th September 2013 following a variation of the DPS

APPENDIX B

Police Visits

Licensed Premises Visits

-

Warwick Arms, Maldon

| Type | Summary | Spoc | Date ^ v |
|--------|---|-------------------------------------|-----------------------------|
| Police | Benison 2 - DPS away. Andrea was upstairs sleeping. PH quite busy and felt uncomfortable with customers helping themselves to non-alcohol items behind bar. Andrea was called and I made her aware of the intention to review. She seemed very angry that the Warwick was picked on when every other venue in town was no better. She was made aware that we work on intelligence and not suspicion. Beer garden fairly quite at the time and otherwise fairly orderly. NFA. | PSE 42076439 Nigel Dermott | Sat 09 Sep 2017 19:45 |
| Police | Benison level 2 - Mother of DPS spoken to and inspection carried out following email 1708_02 attached as a document. Mother (Andrea) is soon to be DPS and we discussed what she needed in place in order to make that change. The licence was properly displayed and no irresponsible drink promotions. Several persons in pub no intox or U18 concerns. Inspection of premises gave no cause for concerns. Following previous visit where drug use was witnessed the out buildings are now all complete to the front although the carpark is still having sewer connections made. CCTV seems to be in good working order and DPS always willing to assist enquiries. Complainant is a local resident and PIR submitted re drug activity in the area. Although 'causal' in that the activity might not happen if the premises were not there much of the activity is in the street and unconfirmed as drugs although the hallmarks are all there. Andrea advised to be alive to drug use and supply and refuse anyone re-entry if she suspects they have popped out for 'a line'. Andrea is very anti drugs and very street wise. She will know about drug use but comes across as naïve. Index numbers provided for her to watch for and warned re noise and ASB as matters that could cause her business serious interruptions. In the absence of anything constructive NFA at present | PSE 42076439 Nigel Dermott | Wed 02 Aug 2017 14:20 |
| Police | Duty visit - Whilst conducting visit at Warwick Arms 185 High Street Maldon CM95BU licensing officer found two young males smoking cannabis in a half built out building in rear yard to premises that are being converted into overnight accommodation for persons working locally. Males moved away from area and no evidence of having been used other than on this occasion. Male 1: | PSE 42076439 Nigel Dermott | Sat 20 May 2017 17:45 |

| | | | |
|--------|--|-------------------------------------|-----------------------------|
| | immature chin stubble, dirty skin, wearing turquoise (upper) and white track suit top and black Adidas trousers and black 'man bag'. Male 2: white 15yrs, medium build 5'7" dark short hair, dark thick eyebrows, dark clothing. Failed to remain and give details. Video evidence provided and seized for another matter on behalf of HQ intell. No drunkenness or U18 issues within the licensed area. Discussion re drugs and this appeared that the DPS was clearly embarrassed. Warned to board up outhouse or finish the project. PIR 42/70381/17 submitted. DLO will monitor. | | |
| Police | Duty visit. Spoke with Andrea Saffill and discussed the fact that there had been little in the way of incidents last year. Discussed her request for extended hour trading and suggested liaising with local residents beforehand. Licence displayed and not issues re drunkenness or U18 among customers. Venue clean and tidy. Two bottles found on wall outside and advised to review littering and in particular bottles. No signs of drug misuse on premises. NFA by DLO | PSE 42076439 Nigel Dermott | Thu 09 Mar 2017 13:45 |
| Police | Benison 2: DPS shopping in Bury. PL holder Andrea Saffill in charge and about to transfer as DPS. Licence incorrectly displayed and rectified whilst present. CCTV all in working order calibrated, registered and recording over 31 days. able to download by DPS. No doorstaff requirement. Drug test of toilets resulted in very slight residue. Discussion with Andrea re recent ban of drug user and intel taken by officers. One person ejected whilst present for excess alcohol. Ch. 25 understood by staff. No concerns re U18 or intoxic. Very few persons present | PSE 42076439 Nigel Dermott | Sat 26 Nov 2016 20:00 |
| Police | Door staff - none not part of licence DPS- EMILY SAFFILL Premises licence displayed Authorisation to serve given verbally to all bar staff age related signs / challenge 21 displayed in the bar CCTV - yes in the bar area - DPS can use system Whilst on scene DPS challenged a male on how much he had been drinking and refused to serve him any more Bar was clean no glasses lying around. fairly quiet 16 people in the bar at the time of visit | PSE 42076439 Nigel Dermott | Sun 14 Aug 2016 20:30 |
| Police | Police attended the WARWICK arms at 2215hrs on the 08/07/2016 to conduct a level 2 Op. Benison check. The pub had around 30 customers, a mixture of male and females with an average age of 20-30. There was very loud music | PC 42000657 Nicola Good | Fri 08 Jul 2016 22:15 |

playing with disco strobe lighting creating a dance floor area next to the bar. The pub was clean and tidy and operates a challenge 25 policy with the license displayed. [REDACTED] was serving behind the bar and stated that the DPS was an Emily SAFILL. There is CCTV in the pub with 7 cameras coving the location. At the rear of the pub in the car park/smoking area where around 6 males smoking and drinking from pint glasses.

| | | | |
|---------------|---|-------------------------------------|-----------------------------|
| Police | Following incidents of noise and possible breach of conditions a visit was made to ensure compliance with conditions and discuss progress with action plan. All conditions were being fully complied with. It appears that one of the main problems is one of nearly adults trying to mix with their adult friends who can drink. They tend to purchase drinks elsewhere and stand within the carpark with friends. I have advised that any challenge should be entered in the incident book particularly whilst residents are complaining about noise. I have further suggested a residents meeting in which to air issues and seek solutions. They may well follow up on this suggestion. see letter sent re variation of licence issues outstanding. | PSE 42076439 Nigel Dermott | Tue 31 May 2016 12:00 |
| Police | Whilst passing off duty I visited premises and saw more persons in rear yard than inside premises. Most of these were drinking from glasses in contravention of condition on licence. See correspondence chasing action plan matters outstanding and letters to DPS and PLH | PSE 42076439 Nigel Dermott | Wed 25 May 2016 22:50 |
| Police | Following meeting with previous licensing Officer in December a further visit was made in order to determine where we are at in respect of compliance and variation of licence etc in order to 'draw a line' under the previous issues and focus on the important. See attached compliance letter. Follow up expected in a few weeks and variation to add CCTV. Minor issues needed addressing that should be easy to resolve. Drug testing of Pool area, sofa and toilets showed trace of cocaine in toilets on surfaces. Advice given to rectify. | PSE 42076439 Nigel Dermott | Fri 15 Apr 2016 12:00 |



Premises Compliance Meeting

| Premise Details: | |
|--------------------|--|
| Premises Name: | Warwick Public House, High Street Maldon CM9 5BU |
| Date of meeting: | 14 th December 2015 |
| Types of Incident: | Incidents from February 2015 to date as detailed below |

| Information: | |
|--|--|
| Meeting Attendees | Emily Saffill, Designated Premises Supervisor & Joint Premises Licence Holder Andrea Saffill, Joint Premises Licence Holder Trina Goodchild, Licensing Officer, Essex Police |
| Designated Premises Supervisor (DPS): | Emily Saffill |
| How long been DPS for Premises: | Since 17/09/2013 |
| Premises Licence Summary on display | Yes (checked 14 th December 2015) |
| Licensing Objectives | Prevention of Crime & Disorder |
| | Public Safety |
| | The prevention of Public Nuisance |
| | The Protection of Children from Harm |
| Number of Reviews | 0 |
| Number of Conditions on Licence Under Annex 2: | 6 |
| Number of Conditions on Licence Under Annex 3: | 4 |
| Licensable Activities: | |
| Performance of Live Music | Fridays / Saturdays & Sundays 19:00hrs till 23:00hrs (Live Music Act 08:00hrs till 23:00hrs) |
| Performance of Recorded Music | Monday to Thursday 10:00 hours till 23:30hours Fridays / Saturdays & Sundays 19:00hrs till Midnight |
| Entertainment held at Venue: | Fridays – DJ Night (Recorded Music) Saturday – Live Music (Live Music) Karaoke (Live Music) |

| Background / Incidents |
|---|
| 29 th October 2014 - meeting held at premises with recorded Action Plan. |
| 16 th February 2015 – Ion Track Testing carried out at venue as additional proactive work following the execution of a Drugs Warrant by Essex Police on 19 th December 2014 |
| 10 th January 2015 – 00:52 hours 16 th January 2015 – 22:05 hours 30 th January 2015 – 23:13 hours 28 th February 2015 – 00:27 hours Reports of noise nuisance – music and noise from patrons. Meeting update- 28th February a Wake was being held for a local male, Police Officers did attend & appeared to be a disagreement between patrons, no complaints received by Police Officers from any party involved in disagreement. |
| 12 th April 2015 – 00:35 – report of a male with head injury Meeting update – no offences recorded at the time |
| 4 th May 2015 – Burglary reported at premises – cash taken |
| 13 th June 2015 – 00:01 – report of noise from premises |
| 26 th June 2015 – 18:01 – report of loud music coming from the premises |
| 27 th June 2015 – Letter issued with regard to noise complaints & advised a formal warning had been issued on 17 th December 2014 Meeting update – Discussed noise issues with Licensee's – confirmed aware of letter and warning from local authority |
| 13 th September 2015 – 09:01 – report of a retrospective assault that had taken place at premises Meeting update – Licensee / Premises Licence Holder not aware of any assault taking place. |
| 5 th December 2015 – 02:15 hours – male arrested for injury to another male – injury inflicted with a knife. Incident took place in car park area of premises outside of trading hours. |
| 14 th December 2015 Meeting at Premises Meeting Notes:- <ul style="list-style-type: none"> • Previous incidents each discussed with both parties. • Premises Licence Summary on display. • Signage in place – reminders for patrons to leave quietly and for doors to be closed when regulated entertainment taking place • Signage in place for both Challenge 25 & 21 Schemes – Both parties advised that they operate the Challenge 25 scheme within the venue. Requested that posters should only display which is in operation. • Written authorisation for the sale of alcohol for members of staff in place and maintained with the original premises licence (best practice) • Staffing levels are retained as appropriate to business but increase staffing levels maintained during trading on a Friday & Saturday. |

Continued...

- New furniture has been purchased for the venue
- Kitchen area has been newly re-fitted with a view to commence the service of food from the venue in the new year
- Approval has been received from Maldon District Council for the outside accommodation to be used for bed & Breakfast accommodation.
- Incident logs and training logs maintained
- Supply of Plastic glassware in stock for use in beer garden area
- It is noted that till rolls are not used in the Cash Register on site. Noted that that this is not a licensing requirement, however both parties to look into this from an operational good practice & additional management of premises and staff.

Noise issues:-

Additional work has been undertaken at the premise in an attempt to reduce the noise issues from within the premises, carpeted area within the bar area has been re-laid with additional underlay, this area has also been extended so that DJ equipment is now sited within this area, been advised that this should assist. The type of regulated entertainment carried out at the venue has also been varied together with the reduction in the number of DJ events held during the month. DJ events reduced in July 2015 to on average 2 a month held on a Friday. Karaoke / live music – solo artist held on a Saturday.

A reduction in associated noise complaints has been noted since July 2015.

Ion Track:

Advised that the Ion Track equipment has now been withdrawn from use. Toilet area's checked, new sink been installed in ladies toilet and both facilities have been re-painted. No Drugs Posters on display – advised that further supplies of these posters would be provided and agreed that these would be displayed in frames within both toilet facilities once received.

Incident 5th December 2015:-

Discussed with both parties, noted that assistance had been provided to the police in connection with this matter, however concerns raised with regard to the seriousness of the incident and discussed with regard to the following areas:

CCTV provision – not a condition of the premises licence. CCTV has been installed in the venue for some time however this was not working correctly at the time of the incident and the system had to be ceased by Officers in connection with the incident. This has also been a recurring problem when CCTV has been requested previously.

Both parties advised that a new CCTV hard drive has been installed at the premises with 8 Cameras. The Licensee now has the CCTV linked to a mobile devise so that this can be viewed 24 hours a day. Both parties agreed they would be willing to submit a Minor Variation to include CCTV provision as a condition of the premises licence in support of the Crime Prevention objective.

Premises Licence trading hours – Opening hours of premises are until 01:30 hours on Friday / Saturday and midnight on other days of week. Concerns discussed regarding patrons remaining on site after these hours and the management of the venue when closing.

Both parties are aware of their trading hours and the sale of alcohol hours. Licensee advised that a member of staff was left in charge of the venue just before closing time at around 01:15 hours. It is normal practise for either the licensee or joint premises licence holder to be on site at all times, however Ms Andrea Saffill was not at the premises due to being hospitalised at the time.

Both parties advised that all staff have been reminded of the requirements of the premises licence, hours of trading and the responsibilities that they undertake on behalf of the premise.

Both parties were advised by Licensing Officer that this meeting will be recorded as a formal warning for continued improvement of the management of the premises, both during and at the close of trading. The record will be maintained on file and will be taken into consideration should any further matters come to the attention of Essex Police Licensing Unit. The provision for a review of the premises licence under the Licensing Act 2003 was explained to both parties.

Actions :

1. Drugs Posters to be displayed in frames in both toilet facilities (Additional posters to be provided by Licensing Officer)
2. Information on display within venue relating to "Challenge Schemes" to be consistent, either Challenge 21 or Challenge 25. Licensee to remove any information as required.
3. Posters advising patrons that no glasses or opened bottles shall be taken from the premises and consumed outside the premises on the public highway to be displayed at all exits, including Fire and rear Exit. Previously in place but have been removed / destroyed. Licensee to replace
4. Continued monitoring of all outside areas by all staff, especially on Friday & Saturday from 20:00 hours until close
5. When Regulated Entertainment is taking place at the venue, all outside areas are to be monitored for noise levels by a member of management / staff at hourly intervals. A record of these checks is to be maintained in a written / computerised format and will be made available on request by a Police Officer or other authorised officer of a relevant authority
6. The CCTV system that is currently installed (not a condition of Licence) is to be maintained in good working order and for retention period of a minimum of 31 days if possible (this is to be confirmed by both parties in conjunction with the submission of the Minor Variation to include as a condition of the premises licence).
7. Agreement to a Minor variation being submitted to include CCTV provision as a condition of the premises licence in support of the Licensing Objectives – the Prevention of Crime & Disorder. Information with regard to the Minor Variation application process to be provided by Licensing Officer.
8. Ensure that Training Records are updated to confirm that all members of staff have been advised of their responsibilities under the requirements of the premises licence, hours of trading and the responsibilities that they undertake on behalf of the premise.
9. DPS & Premises Licence Holder to ensure that the closing of the premises is managed and controlled at all times within the requirements of the premises licence trading hours.
10. CCTV system to be registered, if applicable, with the Information Commissioners Office (<https://ico.org.uk/for-organisations/>)

Actions implemented:

- 1.
- 2.
- 3.

Other information to note:

Statutory Abatement Notice served on premises 13/12/2013

Maldon District Council – Environmental Department – Noise Complaint – letters issued to Miss A & Miss E Saffill - 8th July 2014

Verbal Warning issued to both Miss E Saffill and Miss A Saffill at a meeting on the 21st July 2014 with regard to the general management of the premises, noise nuisance and antisocial behaviour emanating from, with improvement required to support the four Licensing Objectives of the Licensing Act 2003.

Since the meeting held on the 14th December 2015 and the subsequent issue of the record of the meeting, Ms Trina Goodchild is no longer in post as Licensing Officer Chelmsford Police Station and all matters going forward will be referred for the attention and consideration of Mr Nigel Dermott, Licensing Officer, Chelmsford Police Station.

Next steps:

1. Minor Variation to be submitted by Premises Licence Holder & confirmation provided to Licensing Officer, Chelmsford Police Station that this has been completed – Nigel.Dermott@essex.pnn.police.uk
2. Confirmation that the actions have been completed or that are in the process of being completed provided by e-mail to the Licensing Officer, Chelmsford Police Station within the next four week period – Nigel.Dermott@essex.pnn.police.uk
3. Follow up meeting to be arranged by the Licensing Officer, Chelmsford Police Station within the next four weeks.

Report produced by:

8659 Goodchild Licensing Officer, LPA
NORTH

Meeting date 14th December 2015
Dated: 10th February 2016

Copies provided to:

Ms Alex Maschas, Licensing Officer Chelmsford City
Council on behalf of Maldon District Council
Nigel Dermott - Licensing Officer – Chelmsford Police
Station



Premises Action Plan

| Premise Details: | |
|--------------------|--|
| Premises Name: | Warwick Public House, High Street Maldon CM9 5BU |
| Date of meeting: | 15 th April 2016 |
| Types of Incident: | Noise and drug use |

| Information: | |
|--|--|
| Meeting Attendees | Emily Saffill, Designated Premises Supervisor & Joint Premises Licence Holder Andrea Saffill, Joint Premises Licence Holder Nigel Dermott, Licensing Officer, Essex Police |
| Designated Premises Supervisor (DPS): | Emily Saffill |
| How long been DPS for Premises: | Since 17/09/2013 |
| Premises Licence Summary on display | Yes |
| Licensing Objectives | Prevention of Crime & Disorder |
| | Public Safety |
| | The Prevention of Public Nuisance |
| | The Protection of Children from Harm |
| Number of Reviews | 0 |
| Number of Conditions on Licence Under Annex 2: | 6 |
| Number of Conditions on Licence Under Annex 3: | 4 |
| Licensable Activities: | |
| Performance of Live Music | Fridays / Saturdays & Sundays 19:00hrs till 23:00hrs (Live Music Act 08:00hrs till 23:00hrs) |
| Performance of Recorded Music | Monday to Thursday 10:00 hours till 23:30hours Fridays / Saturdays & Sundays 19:00hrs till Midnight |
| Entertainment held at Venue: | Fridays – DJ Night (Recorded Music) Saturday – Live Music (Live Music) Karaoke (Live Music) |

| Background / Incidents | |
|--|--|
| 14 th December 2015 meeting with Trina Goodchild but due to her departure the minutes were not forwarded to DPS for action | |
| 14 th December 2015 Meeting at Premises | |
| (15 th April 2016) Update of current position/discussion in red plus matters arising in red since that meeting: | |
| Meeting Notes:- | |
| <ul style="list-style-type: none"> • Previous incidents each discussed with both parties. | |
| Mr Dermott and Emily agreed that the desirable position would be to draw a line under previous incidents which seem to go back a long way and work forward together. | |
| <ul style="list-style-type: none"> • Premises Licence Summary on display. | |
| All present and correct | |
| <ul style="list-style-type: none"> • Signage in place – reminders for patrons to leave quietly and for doors to be closed when regulated entertainment taking place | |
| Most signs in place. <u>Recommend</u> – new drug signs near gent's toilet door entrance and place on back wall above urinals. Signs at exits reminding customers not to remove glasses or bottles from premises unless off sales. | |
| <ul style="list-style-type: none"> • Signage in place for both Challenge 25 & 21 Schemes – Both parties advised that they operate the Challenge 25 scheme within the venue. Requested that posters should only display which is in operation. | |
| Challenge 25 posters all correctly displayed | |
| <ul style="list-style-type: none"> • Written authorisation for the sale of alcohol for members of staff in place and maintained with the original premises licence (best practice) | |
| This was still to be carried out for bar staff. Discussion in respect of what to expect on such authority e.g. the staff member also signs to say they understand their responsibilities to prevent offences and work to support the licensing objectives. <u>Recommend</u> – That this be established as soon as possible | |
| <ul style="list-style-type: none"> • Staffing levels are retained as appropriate to business but increase staffing levels maintained during trading on a Friday & Saturday. | |
| All in order | |
| <ul style="list-style-type: none"> • Incident logs and training logs maintained | |
| Incident logs maintained but recommend that these are retained in a manual format to encourage use. <u>Recommendation</u> - Training logs need to be established for each staff member and refresher training signed off every six months to ensure knowledge retention. | |
| <ul style="list-style-type: none"> • <u>Recommendation</u> - Variation to licence requested to include CCTV which is installed and meets the spec required: | |
| CCTV system will be installed to home office standards that will : | |
| 1. Be registered with the Information Commissioner | |
| 2. Record continuously over a 28 day period | |
| 3. Have the required CCTV signage prominently displayed | |
| 4. Be maintained and regularly serviced | |
| 5. Provide copies of images to the police following lawful request within 24hrs or email police with reason why this cannot be provided and when it will be available. | |
| It was noted that the CCTV was not currently registered with the information commissioner. DPS | |

can easily arrange this via Information Commissioners website at www.ico.org.uk

- Acknowledged that the noise abatement order remains in place and that various steps have been taken to support it e.g. carpeting of large area of floor, but that due to listed building status the steps that could be taken were limited.
- Following lontrack results further drug testing was carried out and the pool table area and sofa were found to be negative. Surfaces in toilets tested positive for cocaine and advice was provided in order to minimise. Further testing to be carried out on next visit.
- Further acknowledged that after hours, persons wander into the rear yard and use shelter and talk. Where this occurred it was **recommended** to maintain logs in order to negate allegations and complaints.
- **Recommended** to maintain a refusals register and that with Emily's computer skills this could be drawn up in Excel. Should include Date, time, brief description of person and brief description of service refused.

It was agreed that these steps would be put in place as soon as possible following which there would be a revisit with the intention of closing off any matters pending and move forward to run a business that as far as is possible could be run problem free.

Actions :

1. As above recommendations

Other information to note:

Statutory Abatement Notice served on premises 13/12/2013

Since the meeting held on the 14th December 2015 and the subsequent issue of the record of the meeting, Ms Trina Goodchild is no longer in post as Licensing Officer Chelmsford Police Station.

Next steps:

1. Minor Variation to be submitted by Premises Licence Holder & confirmation provided to Licensing Officer, Chelmsford Police Station that this has been completed – nigel.dermott@essex.pnn.police.uk
2. Confirmation that the actions have been completed and arrange revisit by police licensing officer in order to close current file.

Report produced by:

8659 Goodchild Licensing Officer, LPA
NORTH

Meeting date 15th April 2016

Dated: 20th April 2016

Copies provided to:

Nigel Dermott - Licensing Officer – Chelmsford Police
Station

A & E Leisure
The Warwick Arms PH
185 High Street
Maldon
CM9 5BU



Chelmsford Police Station
Licensing Unit
New Street
Chelmsford
Essex
CM1 1NF

Tel: 01245 252595

Date: 26/05/2016

Dear Miss Saffill

Premises licence: 05/00719/LAPRE 040

Further to our meeting on 15th April 2016 where we agreed to draw a line under previous incidents and work toward improving matters at The Warwick Arms, the following matters have still yet to be signed off between us as communicated with you by email:

- Variation of the licence to include CCTV
- If Andrea Saffill is to be present most of the time then it made sense she be the DPS and if there are issues connected with her personal licence application I felt sure we could come to an agreement.
- Further drug signage at gents entrance and on back walls behind urinals.
- Signs at each exit informing customers not to remove glasses or bottles (unless off sale)
- Written authority for each non-personal licence holders serving alcohol. Authority given against signature from staff accepting that they are aware of the conditions on the licence, alcohol related offences and licensing objectives.
- Format of incident logs to be reviewed
- Training logs established for staff with six monthly refresher training
- Refusals register required

Since this meeting we have had the following incidents:

EP-20160513-1151 – Noise complaint from residents of persons leaving and when using rear yard

Further complaint over weekend of 21/22 May 2016 – Not registered by Essex Police but same as above.

These incidents have been copied in to the Police and Crime Commissioner for Essex by complainants.

Visit in passing when off duty at 10:50pm on 25/05/2016 where I saw more customers in rear yard than inside the premises, many of whom were drinking from glasses in contravention of [our interpretation] of the condition on the licence.

I have sent you an email to this effect in order to address matters early enough and in particular ahead of the forthcoming Bank Holiday weekend.

Yours sincerely

Nigel Dermott
Chelmsford Police Licensing Officer

CC: Premises Licence holder A & E leisure

Nigel Dermott 42076439

From: Emily Saffill <Emily.Saffill@eurotec-group.co.uk>
 Sent: 25 May 2016 09:55
 To: Nigel Dermott 42076439
 Subject: RE: Essex Police

Hi Nigel,

Thank you for the below, so you are aware with regards to the action plan I have to date completed all of the points re the refusals register, incident log, and training plans. Wium is also booked on to a course now to complete the personal licence qualification.

The CCTV application will be posted before Tuesday, I have been waiting to get some training from Darren re burning of information.

With regards to the drinking outside, we have always been of the understanding drinking within our carpark area is allowed Tina never advised otherwise during our discussions with her? We have also hired door staff on a Friday night now in order to watch over the carpark he had his first evening last weekend so hopefully these should start to create an improvement.

Tuesday of next week sounds good to me is 12pm ok for you again?

Emily Saffill
 Operations & Quality Manager
 Eurotec Group Limited
 t | 01621 744 740
 f | 01621 742 207
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From: Nigel Dermott 42076439 [mailto:Nigel.Dermott@essex.pnn.police.uk]
 Sent: 26 May 2016 09:44
 To: Emily Saffill <Emily.Saffill@eurotec-group.co.uk>
 Subject: Essex Police

Nigel Dermott

Further to my last email regarding noise complaints I understand that the EHO from Maldon DC has been along to discuss.

Since that complaint a further complaint has been received with a report of a number of males also fighting outside the venue in the High Street and therefore this has also been investigated by the EHO from a noise aspect and Essex Police have been copied in so far.

I intend revisiting the action plan we agreed as to date there seems to be little movement on the matters arising from that last meet and I will follow this up with a formal letter in order that the Premises Licence Holder can also be made aware (A & E Leisure?).

I think it would be in our best interests to have a further meeting and probably the earliest now will be next week. I am only free Tuesday, Thursday and Friday.

I am concerned that issues may be getting out of hand again and the case made by residents in such cases can sometimes be compelling enough to cause the loss of a licence if the licence was reviewed. And the indications seem to be that this is heading that way. Clearly we would all wish to avoid that if possible.

My concerns are further raised due to the fact that I passed your venue last night at around 10:30pm and saw that there were more people stood outside the premises than there were inside and that many were either holding glasses or had glasses on the tables, which is contrary to the conditions of the licence. Whether it be lack of posters or supervision of the smoking area this is something that needs addressing as soon as possible and as a matter of some importance. Drinking outside also creates that base like noise in the background that can often be of considerable annoyance to residents.

I have hurried this email out to you ahead of the bank holiday weekend in the hope that you can get on top of these issues and reduce incidents at your location, breaches of the premises licence and the interference with the quality of life for residents.

If you are around later today more the better but I will send a formal letter as soon as I am able but I shall not be around tomorrow (Friday).

I also need to make you aware that The Warrick Arms is now tagged for incidents at or near your venue which will mean that police attendance to any incident will now be a higher priority and also increase the chance of a uniformed formal enforcement visits by officers on a more regular basis.

As I have previously stated, clearly this is something we would all rather avoid.

I await your response to arrange a further meeting

Kind regards

Nigel Dermott – licensing Officer – Essex Police - Chelmsford and Maldon Police
PgC(UCL), Dip. Couns. (CSCT), AMBII

☎ 07938418224 (only answered when on duty)
☎ Direct Dial: 01245212595
Internal Ext: 420176
Fax: 01245212529
Email: licensing.chelmsford.and.maldon@essex.pnn.police.uk

A & E Leisure
The Warwick Arms PH
185 High Street
Maldon
CM9 5BU



Chelmsford Police Station
Licensing Unit
New Street
Chelmsford
Essex
CM1 1NF

Tel: 01245 252595

Date: 31/05/2016

Dear Miss Saffill

Premises licence: 05/00719/LAPRE 040

Further to our meeting today I was pleased to see that with the exception of matters relating to an application for the variation of the above premises licence that I am now satisfied that each of the conditions are being met. In addition we discussed:-

- Best practice with regard to wording in the authority of staff to sell alcohol in that they should also sign to acknowledge they have been given clear instructions with regard to licensing objectives, conditions on the licence and basic alcohol related offences
- Considering a friendly approach to inviting local residents to a coffee morning at which you can each express your views and explore solutions.

On the matter of variations to the licence this would seek to:

- Vary the DPS to Andrea Saffill (after issue of a personal licence)
- Add CCTV as a voluntary condition on the licence
- Resolve the wording of the condition requiring glasses and bottles not to leave the premises to reflect the directions of the licensing sub-committee following a hearing back in 2005 as this conflicts with the requirement to have signage at 'every' exit.

Following our meeting I therefore await your application to vary the DPS and conditions of the licence for which we have provided the suggested wording in respect of CCTV and would propose that the licensing authority seek the correct wording re glass and bottles not leaving the premises.

Yours sincerely

Nigel Dermott
Chelmsford Police Licensing Officer

CC: Premises Licence holder A & E leisure

APPENDIX C

Police Intelligence Summary

Police Intelligence

- OBJECTIVES:**
1. Prevention of Crime and disorder
 2. Public Nuisance
 3. Protection of children
 4. Public Safety

| Ref | Date | Intel | Objective |
|--------------|--------------------|---|-----------|
| 42/127653/17 | 3/10/2017 | Named and known offenders (16yrs) boasting to others that they drink in the Warwick mostly on a Friday night | 3 |
| 126706 | 2/10/2017 | Unknown person previously reported and made aware of to staff at PH who occupies outbuilding that he has been seen involved in suspect drug dealing and activity between PH and accommodation of an evening | 1 |
| 114689 | 04/09/2017 | Known drug users attending Warwick Arms PH in Maldon on a Wednesday evening and taking drugs inside of the premises | 1 |
| 107515 | 12/08/2017 | Previously described male customer seen exchanges packages [of drugs] through car windows | 1 |
| 107518 | 13/08/2017 | Described male from PH seen exchanging packages between 2 vehicles through windows and return to PH | 1 |
| 112382 | 29/08/2017 | Known offender reporting to police 'things management were doing' and involvement of weapon (weapon unconfirmed) | 1 |
| 102159 | 14/06/2017 | Unreported Assault - bar stool leg pushed into eye | 1 |
| 104720 | 08/08/2017 | Previously described male seen from PH on phone. Vehicle arrives. Exchange [money for drugs] via car window and returns to PH | 1 |
| 104199 | 03/08/2017 | Male seen coming out pub. Texts on phone and later delivery of [drugs] with exchange for [money] | 1 |
| 104213 | 06/08/2017 | Known offender seen to assault and elderly gent. Challenged and beat the person 'senseless'. Unreported assault. | 1 |
| 108661 | 17/08/2017 | Known offender seen parked in PH carpark dealing [drugs] to persons through arriving vehicle window. | 1 |
| 108673 | 17/08/2017 | 2 x known offenders frequenting PH and antagonising customers | 1 & 2 |
| 107977 | 16/08/2017 | Unknown person outside PH in vehicle dealing [drugs] to customers | 1 |
| 101787 | 30/6 - 2/8/2017 | Intel re noise from PH until 2am and 1am on different dates, gas canisters and glass on a further date, Identified male seen in vehicle exchanging money and packet and return to PH. Further date male from pub 'doing a line' in vehicle and returns to PH. Same date same male and others with additional vehicles divide a packet after exchange of money and 'doing a line'. | 1 & 2 |
| 98514 | 05/06/2017 | Known offender assaulting a male in PH | 1 |
| 70381 | 22/05/2017 | Licensing Officer finds 2 x juveniles smoking cannabis in outhouse | 1 & 3 |
| 71483 | 06/05/2017 | Known offender involved in [unreported] assault at venue (42/74083/17) | 1 |
| 65598 | 15/07/2017 | Known offender is [unreported] assaulted at venue. Suspect is stabbed and subject of acid attack following calls made to others by 'victim' | 1 |
| 47933 | 28/02/2017 | Known offender attending a wake at PH produced knife | 1 |

| | | | |
|--------------|------------|--|-------|
| | | | |
| 25055 | 04/02/2017 | Known offender supplying class A drugs in PH | 1 |
| 42/138978/16 | 01/12/2016 | Known offender supplying class A drugs in PH | 1 |
| 134359 | 26/11/2016 | Known offender banned for dealing class A drugs at PH | 1 |
| | | | |
| 129040 | 15/11/2016 | Known offender and landlady involved in unreported assault | 1 |
| 124222 | 03/11/2016 | 2 x Known offenders involved in Class A drug dealing in car park | 1 |
| 92712 | 15/08/2016 | Suspicious drug related activity reported | 1 |
| 92856 | 12/08/2016 | Boy on mountain bike and van driver meet in PH car park for exchange | 1 & 3 |
| 87448 | 01/08/2016 | Suspicious activity at side of PH between customers of PH and occupants of a vehicle | 1 |
| 85359 | 27/07/2016 | Threats to landlady | 1 |
| 75304 | 30/06/2016 | Known offender dealing Class A at PH | 1 |
| 76581 | 04/07/2016 | Known offender dealing Class A at PH | 1 |
| 76597 | 04/07/2016 | Threats to landlady | 1 |
| 71432 | 21/06/2016 | Unknown driver of vehicle seen arriving and dealing [drugs] | 1 |
| 67469 | 10/06/2016 | Cocaine seen openly being taken by customers at PH | 1 |
| 67461 | 10/06/2016 | Known offender dealing Class A drugs within venue | 1 |

APPENDIX D

Relevant Emails & Correspondence

Our ref 100091258361

8 September 2015

[REDACTED]
[REDACTED] High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearce
Email: paul.pearse@maldon.gov.uk

Dear [REDACTED]

We have been reviewing our cases and found that we have not had any completed record from you or received any further complaints of noise arising from the Warwick Arms.

Please can you let us know in the next seven days if you are continuing to be disturbed so we can continue with our investigation.

If we do not hear anything we shall assume that the nuisance has ceased and shall close the case.

Please do not hesitate to contact me on 01621 875728 or at my email address above.

Yours sincerely



Paul Pearce
Environmental Health Technician

MALDON DISTRICT COUNCIL

Princes Road
Maldon
Essex CM9 5DL



A & E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

T 01245 606724
E licensing@maldon.gov.uk
E alex.maschas@maldon.gov.uk
Our Ref 28112014 - Warwick
Officer: Alexandra Maschas

17th December 2014

Dear A & E Leisure,

Formal Warning Licensing Act 2003 Part 7 section 136 Unauthorised licensable activities – The Warwick Arms, 185 High Street, Maldon, Essex CM9 5BU

It has come to the attention of the Licensing Authority that on Friday 28th November 2014 the above premises was observed breaching their licence conditions.

Two officers of the council were working on the evening of Friday 28th November 2014 in the Maldon area.

At 22.11 the officers noted a number of people going in and out of the premises via the rear door and that a number of people were gathering at the rear of the premises not in the covered seated area but in the exposed and open car park area. 2 males were observed exiting the premises by the rear door with almost full pint glasses, they then proceeded to head to the entrance to the car park area. They then moved onto the public highway (pavement area outside of the car park) and whilst stood there and using the low wall attached to the premises as a table, they were drinking their drinks. They were observed for a number of minutes whilst they finished their pints on the public highway.

At 23.13 the officers returned to The Warwick Arms, at 23.18 a woman and a man were witnessed exiting from the front entrance (door on the corner of the High Street and Victoria Road) with their drinks. They were walking and drinking on the public highway to enter the premises again by the car park entrance of the premises on Victoria Road. At 23.19 A group of four women walked from the back door of the premises to the entrance of the car park and proceeded to use the low wall at the entrance attached to the premises as a rest place for their drinks. These drinks were consumed by them whilst standing on the public highway. They were observed for a number of minutes by the officers who during this time witness one of their glasses fall to the floor although it did not break. When the officers left the premises they were still consuming their drinks on the public highway.



The premises licence for The Warwick Arms, 185 High Street, Maldon, Essex CM9 5BU states:

Annex 3 – Conditions attached after a hearing by the licensing authority

- 1 No Glasses or opened bottles shall be taken from the premises and consumed outside the premises and notices to this effect shall be displayed prominently at each exit of the premises

Should The Warwick Arms continue to breach their licence conditions you may be liable to prosecution under the following:

Licensing Act 2003 Part 7 section 136 Unauthorised licensable activities a person commits an offence if he/she carries on a licensable activity on or from the premises otherwise than under and in accordance with an authorisation; or if he/she knowingly allows a licensable activity to be so carried on. **A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.**

A copy of this letter has also been sent to the Police Licensing Officer and Maldon District Council's Environmental Health Officer.

Yours sincerely,



Alexandra Maschas
Licensing Officer

Our ref 100091258361

11 January 2016

Ms E Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearce
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 13/02438/NOISEC**

Further to my letter dated 25 September 2015 Maldon District Council has not received any further complaints of noise from The Warwick Arms. Therefore we shall not be continuing with our investigations at the moment.

Please be aware that the statutory notice dated 13th December 2013 requiring the abatement of amplified music remains in force. Should we receive any further complaints or obtain any evidence to suggest that a nuisance is occurring we shall investigate them.

In the meantime I strongly recommend that you continue to monitor your premises to prevent public nuisance as you are obliged to do under the Licensing Act 2003.

We also suggest that if you continue to have performances of amplified music you establish what improvements can be made to prevent any nuisance occurring by taking advice from competent persons. We are aware that you did commission consultants to do this work at the beginning of 2015 but are unaware of any mitigation measures that were made as a result.

Thank you for your attention in this matter.

Yours sincerely



Paul Pearce
Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council
Trina Goodchild, Essex Police Licensing Officer

Our ref 100091258361

11 January 2016

[REDACTED]
Victoria Road
Maldon
Essex
CM9 5HE

Enquiries to Paul Pearce
Email: paul.pearse@maldon.gov.uk

Dear [REDACTED]

Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex, CM9 5BU
Environmental Protection Act 1990
Enquiry Reference Number – 13/02438/NOISEC

We have not had any further complaints or received any evidence of a continuing noise nuisance at the Warwick Arms. As a result we have decided to stop our investigation at the current time.

However please be aware that the statutory notices dated 13th December 2013 requesting the abatement of amplified music served on the premises licence holders remain in force. Therefore if you are disturbed in the future please let us know or complete and return any record sheets that you may have already and we can investigate if necessary.

Please do not hesitate to contact me on 01621 875728 or at my email address above.

Yours sincerely



Paul Pearce
Environmental Health Technician

cc Alexandra Maschas, Maldon District Council Licensing Team
Trina Goodchild, Essex Police Licensing Team

26 August 2016

MALDON DISTRICT COUNCIL

Princes Road
Maldon
Essex CM9 5DL



Ms E. Saffill
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearce
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Alleged noise nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990
Complaint Reference Number - 16/02518/NOISEC**

We are letting you know that we have received a complaint about noise arising from raised voices, shouting and screaming from the beer garden at the rear of The Warwick Arms. This is reported to continue past the licensing hours of the pub and sometimes until 3 a.m. I understand that you have already been in contact with Nigel Dermott the Essex Police Licensing Officer over this matter.

We do not have any evidence to prove these allegations but it is our policy to let people know if we have received a complaint made against them. We are also required under the Environmental Protection Act 1990 to investigate complaints of this nature and take action where complaints are found to be justified.

Please consider whether this complaint could be justified and if so take reasonable precautions to resolve the matter. It is particularly important to keep noise levels as low as possible during evenings, night time, weekends and other sensitive times.

In the meantime we have asked the complainant to keep a record of any incidents that disturbs them so we can judge whether there may be a nuisance occurring. If we think that the records suggest that there may be one occurring we will need to investigate further to satisfy ourselves that there is a nuisance. Alternatively we may also decide that there is no need for further investigation. In either case we will contact you.

Please be aware that should we establish a nuisance we will serve a statutory abatement notice on you and investigate if we are able to request a review of your premises licence.

If you would like to discuss this matter please contact me on 01621 875728.

Yours faithfully

Paul Pearce
Environmental Health Technician

cc Nigel Dermott, Essex Police Licensing Officer
Alexandra Maschas, Licensing Officer Maldon District Council



3 October 2016

MALDON DISTRICT COUNCIL

Princes Road
Maldon
Essex CM9 5DL



Ms A. Saffill
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Alleged nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990 and Regulation Of Investigatory Powers Act 2000
Complaint Reference Number – 16/02518/NOISEC**

We wrote to you recently to say that we had received a complaint of noise coming from your property.

We have now received completed nuisance monitoring records from the complainant indicating noise disturbance arising from loud music and shouting including foul language. Because of the information they have supplied we will be continuing our investigation to establish whether or not there is a nuisance occurring. This may include officer visits and the use of recording equipment.

Please be aware that if the investigation reveals that a statutory nuisance exists we will have to serve an Abatement Notice on you. Please note that an Abatement Notice served on you in December 2013 for amplified music remains in force.

If a nuisance is established we shall also consider calling your premises licence in for review where appropriate.

I recommend that you contact me on telephone number 01621 875728 to discuss this matter.

Yours faithfully



Paul Pearse
Environmental Health Technician

cc Maldon District Council Licensing Team
Essex Police Licensing Team



Nigel Dermott 42076439

From: John Fairweather <John.fairweather@maldon.gov.uk>
Sent: 12 June 2017 12:00
To: Nigel Dermott 42076439
Cc: Licensing Chelmsford and Maldon; 'MASCHAS, Alex'; Paul Pearse
Subject: The Warwick Arms 185 High Street Maldon

Hi Nigel

I have recently started working for Maldon. Paul Pearse has kindly handed over Maldon...

I realise there is a history to these premises.

In view of a further complaint about loud music. (see below) I thought I would contact you and Alex.

Perhaps you can update me on whether the Police still have any concerns about the premises.

Paul did mention the possibility of a review of the licence.

Kind Regards
 John

John Fairweather | Environmental Health Officer | Environmental Health | Planning and Regulatory Services Maldon
 District Council, Princes Road, Maldon, Essex CM9 5DL UK
 01621 875895 | www.maldon.gov.uk | @maldondc

'Working in partnership to make the Maldon District a better place to live, work and enjoy'

-----Original Message-----

From: Paul [mailto: [REDACTED]]
Sent: 10 June 2017 21:32
To: Paul Pearse
Subject:

Dear Paul,

I hope you are well.

The Warwick Arms has returned to its nuisance behaviour. The is saturday 10th June. I am sat in my living room listening to a live band playing Oasis tracks. It is keeping my children awake. The pubs doors are all open and they are making no effort to reduce the nuisance they are causing.

Can you please send me nuisance record sheets as I want to report this now regular again source of noise nuisance. The licensee clearly couldn't care less about there neighbours. What surprises me is that they don't care about your office and your powers of enforcement. They keep quiet for a few weeks or months and then go back to the same behaviour.

Please help us.

Sent from my iPhone

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Our Vision: To make Maldon District a better place to live, work and enjoy.

13 June 2017

MALDON DISTRICT COUNCIL

Princes Road
Maldon
Essex CM9 5DL



Ms. A Saffill
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to John Fairweather
Email: john.fairweather@maldon.gov.uk

Dear Madam

Alleged nuisance at 185 High Street, Maldon, Essex, CM9 5BU
Environmental Protection Act 1990 and Regulation Of Investigatory Powers Act 2000
Complaint Reference Number – 17/01808/NOISEC

I write further to my visit today regarding a complaint of loud music at the weekend.
As we discussed there was a cover band in the pub on Saturday night. I accept that this was a "one off" although you do still have regular karaoke.

The standing advice remains, to ensure that the music is not so loud as to disturb neighbours and that doors and windows remain closed.

I will pass on your apologies to the complainant.

But I must remind you noise abatement notices served on yourself and your daughter Emily, remain in force and I will monitor the situation.

Should you have any queries please do not hesitate to contact me, on telephone number 01621 875895.

Yours faithfully



John Fairweather
Environmental Health Officer



Nigel Dermott 42076439

Subject: FW: The Warwick Maldon

From: John Fairweather [mailto:John.fairweather@maldon.gov.uk]
Sent: 02 August 2017 09:18
To: Nigel Dermott 42076439
Cc: Phil Morley PS 42000214
Subject: RE: The Warwick Maldon

Hi Nigel
 Thanks for the update.

I did visit the area, shortly after my conversation with [REDACTED].
 I didn't see any broken glass.
 The rear yard was being dug up to connect drainage to the new letting rooms in the car park.

The only Nitrous Oxide bulb I noticed was on the corner of Mill Road and Wantz Chase.
 Please let me know the outcome of your enquiries.

It may be useful to do a joint visit to the premises.

Kind Regards
 John

John Fairweather | Environmental Health Officer | Environmental Health | Planning and Regulatory Services
 Maldon District Council, Princes Road, Maldon, Essex CM9 5DL UK
 01621 875895 | www.maldon.gov.uk | @maldondc

'Working in partnership to make the Maldon District a better place to live, work and enjoy'

From: Nigel Dermott 42076439 [mailto:Nigel.Dermott@essex.pnn.police.uk]
Sent: 01 August 2017 07:23
To: John Fairweather
Cc: Phil Morley PS 42000214
Subject: RE: The Warwick Maldon



Thanks again John.

I am in touch with [REDACTED] and will follow up on these issues as I have liaised with [REDACTED] previously.

Clearly Maldon needs some attention ...

regards

Nigel Dermott – licensing Officer – Essex Police - Chelmsford and Maldon Police
PgC(UCL), Dip. Couns. (CSCT), AMBII

 07938418224 (only answered when on duty)
 Direct Dial: 01245212595
 Internal Ext: 420176
 Fax: 01245212529

 @Alco_cop

@BBN_Chelmsford

@ESSEX_PUB_LINK

Email: licensing.chelmsford.and.maldon@essex.pnn.police.uk

Essex Police | Chelmsford Police Station | New Street | Chelmsford | CM1 1NF

Opening Hours: Daily 9am – 5pm



From: John Fairweather [<mailto:John.fairweather@maldon.gov.uk>]

Sent: 31 July 2017 13:04

To: Nigel Dermott 42076439; Joanne Stainsbury 42075739

Cc: Alex Maschas

Subject: The Warwick Maldon

Dear All

I spoke to [REDACTED], this morning, about general disturbance from The Warwick. [REDACTED] said things did get better last year but since Easter this year the situation has deteriorated.

She did say [REDACTED] was going to contact [REDACTED].

The complaints were.

Noise from the Smoking Area

Loud music from the pub.

Parking in residents bays

Broken glass on the street

Using the area around the second entrance as a urinal.

Drug taking and selling, in the rear area.

Perhaps we can discuss this recurring problem.

Kind Regards


John

John Fairweather | Environmental Health Officer | Environmental Health | Planning and Regulatory Services
Maldon District Council, Princes Road, Maldon, Essex CM9 5DL UK
01621 875895 | www.maldon.gov.uk | @maldondc

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Maldon District Council

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Nigel Dermott 42076439

Subject: FW: The Warwick Maldon

From: John Fairweather [mailto:John.fairweather@maldon.gov.uk]
Sent: 07 August 2017 17:04
To: Nigel Dermott 42076439
Cc: Phil Morley PS 42000214
Subject: RE: The Warwick Maldon

Hi Nigel

I had complaints from [REDACTED] and [REDACTED] family, of noise, loud music etc., from The Warwick over the weekend

I know it was Maldon Carnival but the allegation is that it calmed down about 02:20 hours.
 To add insult to injury the DPS had music playing at 08:00 on Sunday morning!

Whilst it would be easy to dismiss it as "carnival weekend".
 It is part of more general summer problem.

The key issues seem to be
 Playing loud music in the bar
 Propping open the doors from the bar to the rear yard
 People congregating in the smoking area rather than going back into the pub.
 Patrons standing in the street.

I did suggests to [REDACTED] that when people are stood in the street drinking to call 101.
 Not necessarily to get an on the night response but at least to flag it up as problem.
 As far as Noise nuisance is concerned I have offered to visit one evening.
 Which I will arrange for a weekend fairly soon.

I don't know the outcome of your recent visit, but it may be worthwhile us visiting together during the day.

Kind Regards
 John

John Fairweather | Environmental Health Officer | Environmental Health | Planning and Regulatory Services
 Maldon District Council, Princes Road, Maldon, Essex CM9 5DL UK
 01621 875895 | www.maldon.gov.uk | @maldondc

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From: Nigel Dermott 42076439 [mailto:Nigel.Dermott@essex.pnn.police.uk]
Sent: 01 August 2017 07:23
To: John Fairweather
Cc: Phil Morley PS 42000214
Subject: RE: The Warwick Maldon

Thanks again John.

I am in touch with [REDACTED] and will follow up on these issues as I have liaised with her previously.

Clearly Maldon needs some attention ...

regards

Nigel Dermott – licensing Officer – Essex Police - Chelmsford and Maldon Police
PgC(UCL), Dip. Couns. (CSCT), AMBII

07938418224 (only answered when on duty)

Direct Dial: 01245212595

Internal Ext: 420176

Fax: 01245212529



@Alco_cop

@BBN_Chelmsford

@ESSEX_PUB_LINK

Email: licensing.chelmsford.and.maldon@essex.pnn.police.uk

Essex Police | Chelmsford Police Station | New Street | Chelmsford | CM1 1NF

Opening Hours: Daily 9am – 5pm



From: John Fairweather [<mailto:John.fairweather@maldon.gov.uk>]

Sent: 31 July 2017 13:04

To: Nigel Dermott 42076439; Joanne Stainsbury 42075739

Cc: Alex Maschas

Subject: The Warwick Maldon

Dear All

I spoke to [REDACTED], this morning, about general disturbance from The Warwick.

[REDACTED] said things did get better last year but since Easter this year the situation has deteriorated.

[REDACTED] did say she was going to contact Nigel.

The complaints were.

Noise from the Smoking Area

Loud music from the pub.

Parking in residents bays

Broken glass on the street

Using the area around the second entrance as a urinal.

Drug taking and selling, in the rear area.

Perhaps we can discuss this recurring problem.

Kind Regards

John

Licensing Chelmsford and Maldon

From: Licensing Applications Essex
Sent: 26 September 2017 11:33
To: Licensing Chelmsford and Maldon
Subject: FW: 09-2017/11 The Warwick Arms License Review

Good morning,

Please see below in regards to a licence review for the Warwick Arms

Kind regards,

Rachel Savill 76871
 Licensing Clerk
 Essex police licensing team (alcohol)
 Braintree police station
 Internal Ext 406357
 External direct number 01245 452035
 Email : licensing.applications@essex.pnn.police.uk
 Website : www.essex.police.co.uk

From: Sue Parker, Business Support Administrator [<mailto:Sue.Parker2@essex.gov.uk>] **On Behalf Of** Licence Applications CYP
Sent: 26 September 2017 11:24
To: Licensing Applications Essex
Subject: 09-2017/11 The Warwick Arms License Review

RE: Licensing Act 2003:- The Warwick Arms

I have now had an opportunity to read all the paperwork in regards to this review of a premises licence pertaining to the Warwick Arms situated in Maldon, and I would concur with the eleven recommendations made by Essex Police on the grounds of the prevention of crime and disorder, the protection of children from harm, the prevention of public nuisance, and public safety.

From a child safeguarding aspect, I note that police have identified that underage persons have been consuming alcohol on the premises and that young people are also known to be involved in drug usage on this site and I would therefore support any action taken by Essex Police and the Licensing Authority.

Local Authority Designated Officer (LADO)
 FAO: Licensing
 Quality Assurance & Safeguarding Service
 Family Operations
 70 Duke Street
 Chelmsford
 Essex CM1 1JP
 Tel: 0333 013 9797 Email: LicenceApplications@essex.gov.uk

Regards

Sent on behalf of Carole Fuller, LADO

Sue Parker

Business Support Administrator – BC3 - Mid

Business Operations

Essex County Council

Email: businesscentre3@essex.gov.uk | www.essex.gov.uk

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Nigel Dermott 42076439

To: Nigel Dermott 42076439
Subject: FW: Warwick arms

Developing the information ...

From: Jim Brunt [<mailto:Jim.brunt@maldon.gov.uk>]
Sent: 03 October 2017 11:54
To: Nigel Dermott 42076439
Subject: Warwick arms

Hi Nigel,

I would like to bring this to your attention, during the summer holidays we had a lot of ASB on the Prom park in Maldon. We had lots of underage drinking and drug use, this cause lots of issues with litter and some fights between local youths.

One of my roles is to engage with these youths and they are very open to me.

The information I have been told by some of these youths is that they get served alcohol in the Warwick arms Pub in Maldon High Street on Friday and Saturday Night's.

These are the names of the youth's, they are all under age 14 to 16 years old.

- [REDACTED] – Father drinks in Warwick and known as an associate of one of the owners (Jimmy PURDY)
- [REDACTED] – Known to police (16yrs) drug possession, theft and assaults
- [REDACTED] – Known to police (16yrs) Burglary & Theft. Curfew 9pm – 7am daily
- [REDACTED] – Known to police (16yrs) Burglary
- [REDACTED] – Not known to police

There are more youths who hang around with the above but these 5 have told me on 3 occasions that they have been in or going to the Warwick and it always around 22.30.


Also lately we are starting to get a lot year 10 girls hanging around with this lot.

Many thanks

Jim.

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Maldon District Council

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APPENDIX E

EHO Noise Abatement Notice

REFERENCE PP/E/07/13/14

MALDON DISTRICT COUNCILPrinces Road
Maldon
Essex CM9 5DL

ENVIRONMENT SERVICES

**ENVIRONMENTAL PROTECTION ACT 1990
PART III SECTION 80
Abatement Notice in respect of
Statutory Nuisance**

To: Andrea Saffill of A&E Leisure

Of: The Warwick Arms, 185 High Street, Maldon, Essex, CM9 5BU

Take Notice that Maldon District Council is satisfied of the existence of a statutory nuisance under section 79(1)(g) of the Act at the premises known as:

The Warwick Arms, 185 High Street, Maldon, Essex, CM9 5BU

The nuisance is: noise from amplified music

What you are required to do:

You are required to abate the nuisance and prohibited from causing, permitting or otherwise allowing any recurrence of the nuisance thereafter.

Time for Compliance: No later than 2359 hours on 4 January 2014

If without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be committing an offence under section 80(4) of the Environmental Protection Act 1990. On summary conviction fines not exceeding £20,000 may be imposed.

If you fail to comply with this notice Maldon District Council may abate the nuisance and do whatever is required to achieve its compliance. This includes taking proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance.

Right of Appeal

You may appeal against this notice to a magistrates' court within 21 days beginning with the date of the service of this notice. The grounds of appeal prescribed in the Statutory Nuisance (Appeals) Regulations 1995 are reproduced overleaf.

Signed: _____

Dated 13 December 2013

Paul Pearse
Environmental Health Technician
on behalf of Maldon District Council

| | |
|---|----------|
| I, <u>Paul Pearse</u> | of |
| Council Offices, Maldon, certify that I served | |
| <u>ANDREA SAFFILL</u> | with the |
| Notice of which this is a true copy, by sending the said | |
| Notice by <u>first class</u> delivery service to him/her posted | |
| by me at the Council Offices, Maldon, Essex. | |
| at <u>10</u> o'clock in the <u>morning</u> on the | |
| <u>13</u> day of <u>DECEMBER</u> 2013 and addressed | |
| to <u>THE WARWICK ARMS</u> | |
| <u>185 HIGH STREET</u> | |
| <u>MALDON</u> | |
| <u>ESSEX</u> | |
| <u>CM9 5BU</u> | |

Maldon District Council, Princes Road, Maldon, Essex, CM9 5DL

REFERENCE PP/E/07/13/14

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:-**APPEALS UNDER SECTION 80(3) of the ENVIRONMENTAL PROTECTION ACT 1990 ("the 1990 Act")**

- 2- (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates against an abatement notice served upon him by a local authority).
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case -
- that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
 - that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in conjunction with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
 - that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
 - that the time, or where more than one time is specified, any of the times, within the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
 - where the nuisance to which the notice relates -
 - is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade, or business premises, or
 - is a nuisance falling within section 79(1)(b) of the 1990 Act and the smoke is emitted from a chimney, or
 - is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,
 that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;
 - that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
 - any notice served under section 80 or 86 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises), or
 - any consent given under section 81 or 85 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
 - any determination made under section 67 of the 1974 Act (noise control of new buildings);
 - that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 of the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
 - that the abatement notice should have been served on some person instead of the appellant, being -
 - the person responsible for the nuisance, or
 - the person responsible for the vehicle, machinery or equipment, or
 - in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
 - in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
 - that the abatement notice might lawfully have been served on some person instead of the appellant, being -
 - in the case where the appellant is the owner of the premises, the occupier of the premises, or
 - in the case where the appellant is the occupier of the premises, the owner of the premises,
 and that it would have been equitable for it to have been so served;
 - that the abatement notice might unlawfully have been served on some person in addition to the appellant, being -
 - a person also responsible for the nuisance, or
 - a person who is also owner of the premises, or
 - a person who is also an occupier of the premises, or
 - a person who is also the person responsible for the vehicle, machinery or equipment,
 and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph 2(f) or (i) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may -
- quash the abatement notice to which the appeal relates, or
 - vary the abatement notice in favour of the appellant in such manner as it thinks fit, or
 - dismiss the appeal,
- and an abatement notice is varied under sub-paragraph (b) above shall be final otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
- with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work or
 - as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.
- (7) In exercising its power under paragraph (6) above the court -
- shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
 - shall be satisfied before it imposes any requirements thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

- 3- (1) Where -
- an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
 - either -
 - compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
 - in a case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
 - either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met,
- the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where -
- the nuisance to which the abatement notice relates -
 - is injurious to health, or
 - is likely to be a limited duration such that suspension of the notice would render it of no practical effect, or
 - the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
- shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
 - shall include a statement as to which of the grounds set out in paragraph (2) apply.

Maldon District Council, Princes Road, Maldon Essex CM9 5DL

APPENDIX F

Police Incidents

Police Incidents

- OBJECTIVES:**
1. Prevention of Crime and disorder
 2. Public Nuisance
 3. Protection of children
 4. Public Safety

| <u>Incident</u> | <u>Description</u> | <u>Comment</u> | <u>Received</u> | <u>Objective</u> |
|---|--------------------|---|------------------------|------------------|
| <u>EP-20160820-1086</u> | FIGHT | Lots of people found outside the venue on police arrival (20mins). No offences reported. | 20/08/2016 22:24:48 | 1, 2 & 3 |
| <u>EP-20161001-0110</u> | DISTURB | Woman being assaulted outside venue by 3-4 persons who are alleged to have come from within. Further call that large fight outside kebab shop nearby. Highly intoxicated victims spoken to. 1 person arrested. Alleged management involved. | 01/10/2016 02:08:40 | 1, 2 & 3 |
| <u>EP-20161026-1090</u> | FIGHT | 4 persons fighting outside location. Police attend (15mins). Verbal argument no offences reported. | 26/10/2016 23:04:38 | 1 & 2 |
| <u>EP-20161127-0151</u> | DRUGS | Report from step parent that step son discussed with friend about going to The Warwick to buy their cocaine and that step son had left to do just that. Logged as intel. | 27/11/2016 02:46:42 | 1 |
| <u>EP-20161211-0039</u> | CONCERN | Caller reporting that there was to be a lot of trouble at the premises tonight and 'had better get down the Warwick' and 'if the police don't attend someone will be dead tonight' | 11/12/2016 00:29:40 | 1 |
| <u>EP-20161218-0075</u> | ASSLT ABH - | Two crimes of assault reported having occurred at the Warwick. (42/160415/16 & 42/160417/16) . Callers phone smashed and unable to contact. Victim very intoxicated. Police could hear further disturbance in background. Victim abusive to officers and large crowd outside PH. | 18/12/2016 01:17:34 | 1, 2 & 3 |
| <u>EP-20170101-0259</u> | DOM STD - | Domestic involving threats in pub for which male partner ejected. Male took partners car and drove without permission intoxicated. (42/10207/17). Third party report from friend. Allegations not supported and parties refused to engage in DV risk assessments etc. | 01/01/2017 02:42:01 | 1 & 4 |
| <u>EP-20170731-1403</u> | NUIS-OTH - | Male customer involved in argument. Smashed a glass in venue, was with dog in pub for 2hrs and became intoxicated. Ejected and walked up and down outside which involved others. Situation diffused no reports | 31/07/2017 22:41:18 | 1 & 2 |

APPENDIX G

Police Suggested Conditions

Warwick Arms – Review Application

Police proposed conditions and solutions

To assist the licensing sub-committee in reaching a decision in respect of the application of Essex Police to review the said Premises Licence we would propose the following steps and conditions:

1. That the Designated be replaced for someone other than Andrea or Emily Saffill
2. That the permitted hours for the sale of alcohol be amended: Each day 10:00 – 23:30hrs and opening hours 10:00 – 00:00hrs daily.
3. That amplified and unamplified recorded and live music be permitted 10:00 – 23:00hrs daily.
4. No entry permitted after the sale of alcohol has ceased at 23:30hrs.
5. That consumption on the premises be restricted within the main building only and that the 'premises' be identified accordingly.
6. 'off' sales will only be permitted where the alcohol is sold in sealed containers.
7. That smoking be permitted only within yard at the rear of the premises and the numbers of smokers permitted at any one time be limited to not more than eight (8).
8. No person will be permitted behind the bar area unless they are an employee of the business.
9. Regardless whether a personal licence holder or not, each relevant member of staff involved in the sale and supply of alcohol will be authorised in writing by the Designated Premises Supervisor.
10. Prior to the authorisation at para 8 above each staff authorised for the sale and supply of alcohol will be provided with training which will be recorded and refreshed on an annual basis and will include basic licensing offences, conditions of the licence and policies of the establishment.
11. There shall be a personal licence holder on duty at all times.
12. Training records will be produced on reasonable request by police and other authorised persons.
13. An incident log will be maintained that records all incidents where a complaint has been made to any authority
14. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
 - ii. CCTV cameras shall cover all public areas including all entrances and exits
 - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days
 - i. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;

- ii. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with
 - iii. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failings these are to be recorded immediately.
 - iv. The system will be registered with the Information Commissioner
13. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon request.

The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:

- (a) All crimes reported to the venue
 - (b) All ejections of patrons
 - (c) Any complaints received concerning crime and disorder
 - (d) Any incidents of disorder
 - (e) Any seizures or findings of drugs or offensive weapons
 - (f) Any faults in a CCTV system
14. Prior to the authorisation at para 8 above each staff authorised for the sale and supply of alcohol will be provided with training which will be recorded and refreshed on an annual basis and will include basic licensing offences, conditions of the licence and policies of the establishment.

Finally Essex Police request that the Licensing sub-committee consider a suspension of the licence for a period of three months in order to allow for a change in customer behaviour and management style that is being sought at these premises following the introduction of these conditions and amendments to the licence.

Exhibits

NAD/1 – CCTV re incident 6th May 2017

NAD/2 – Photograph Front Door 13th August 2017

NAD/3 – Sound recordings 13th August 2017

NAD/4 – Photograph from Victoria Road 13th August 2017

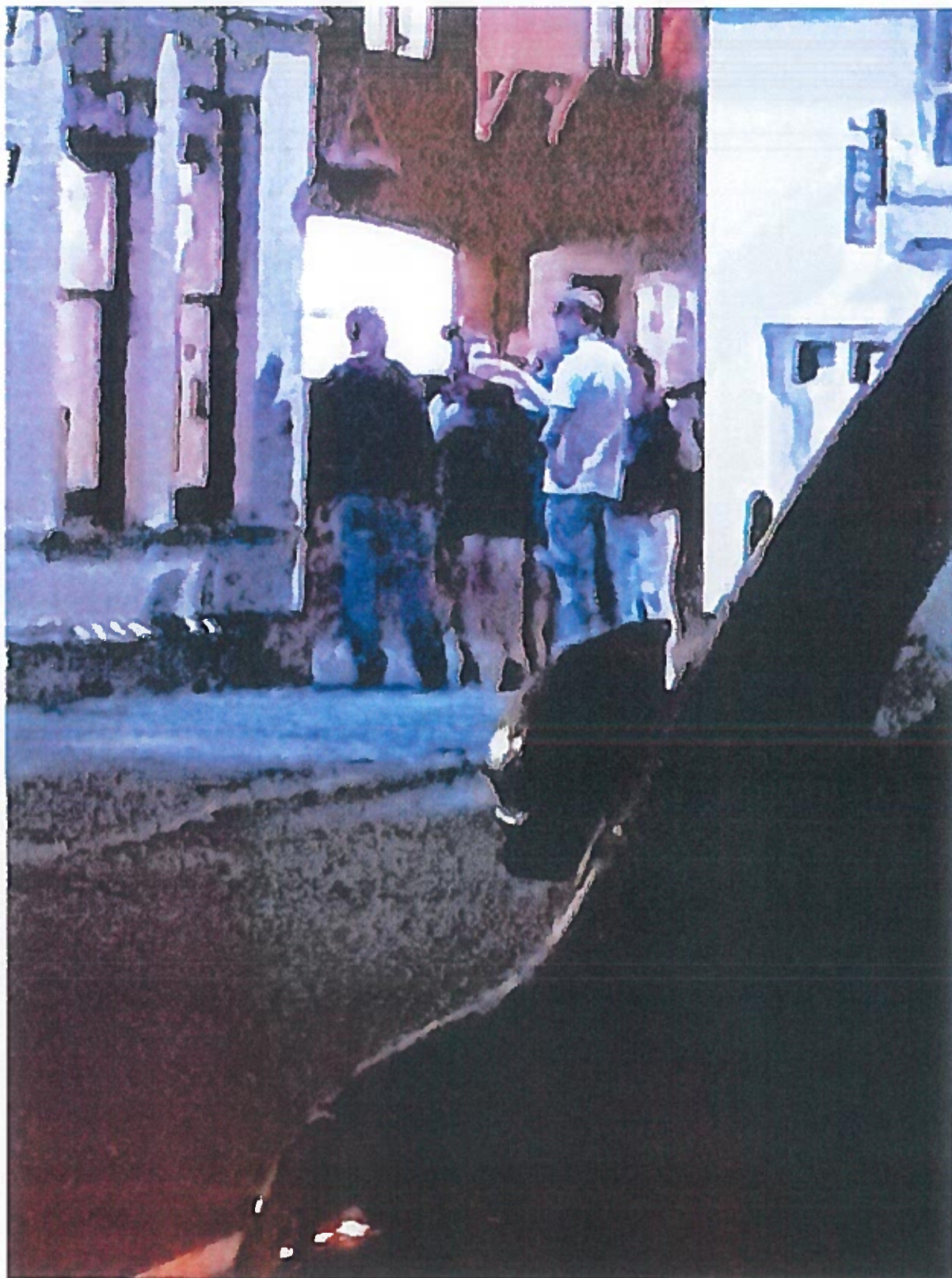


Photo 1

Taken at 12.13am 13th August 2017 from Victoria Road looking toward front doors of Warwick Arms

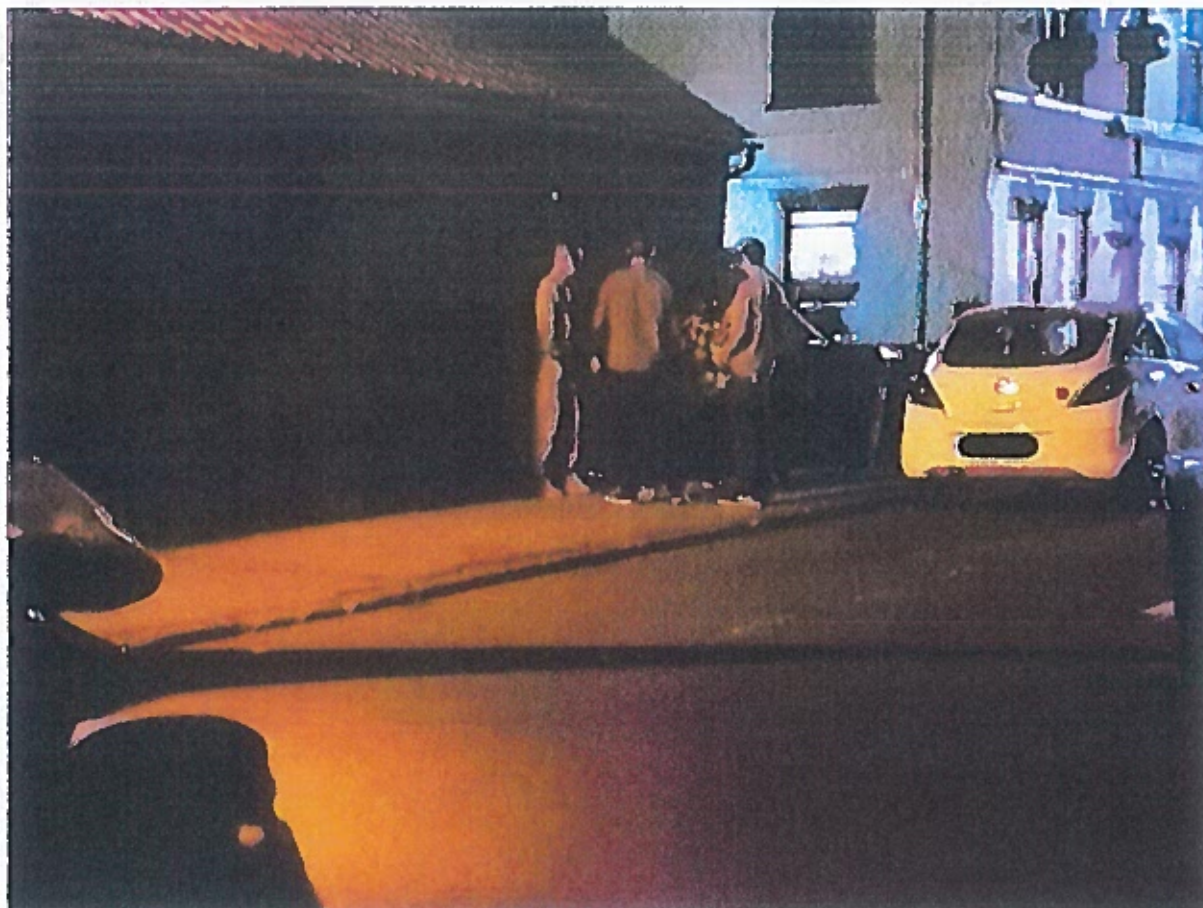


Photo 2

Taken 12.29am on 13th August 2017 from Victoria Road at side of outbuildings at Warwick Arms

REPRESENTATION BY ENVIRONMENTAL PROTECTION MALDON DISTRICT COUNCIL

Concerning

THE WARWICK ARMS, 185 HIGH STREET, MALDON, ESSEX CM9 5BU

Following the application for the review of the premises licence by Essex Police under the Licensing Act 2003, Environmental Protection as a responsible authority would also like to make a representation. The representation is based on management's failure to uphold the licensing objectives, namely the prevention of public nuisance.

Our representation is made having had regard to the revised guidance issued under section 182 of the Licensing Act 2003 in April 2017 and Maldon District Council's Statement of Licensing Policy dated January 2014.

The Warwick Arms public house, 185 High Street, Maldon, Essex is located on the corner of Victoria Road, Maldon. The High Street is mixed retail with some residential whilst Victoria Road is wholly residential. Dwellings in Victoria Road face onto the side and rear of The Warwick Arms, including the beer garden. There are also residential dwellings that back onto the rear garden area in North Street, Maldon.

The premises licence holder is A & E Leisure, The Warwick Arms, 185 High Street, Maldon, Essex CM9 5BU following a transfer of the licence in 2013. The public house is managed by Andrea Saffill and Emily Saffill.

Since the transfer of the licence in 2013, Maldon District Council's Environmental Protection team have received complaints from local residents about amplified music played and performed within The Warwick Arms public house. There have also been complaints about excessive noise from customers in the beer garden and car park to the rear of the building, this has also spilled out onto the public highway.

Following investigation into the complaints, Environmental Protection established statutory nuisance and served an abatement notice under section 80 of the Environmental Protection Act 1990 for noise nuisance arising from amplified music. This notice was served on Andrea Saffill of A & Leisured on the 13th December 2013, Appendix E of the evidence bundle presented by Essex Police. This abatement notice remains in force.

During this period, Environmental Protection worked with officers from Essex Police, Maldon District Council's Licensing team, the premises licence holder and the premises owner to form a Premises Action Plan dated October 2014, see Appendix 1.

Since this time, there have been allegations of noise nuisance from amplified music and customers in external areas. To date, Environmental Protection officers have not been able to substantiate these allegations. Andrea and Emily Saffill have received letters between 2013 and 2017, the most recent dated 13th June 2017, informing them of the allegations and reminding them that the abatement notice remains in force, see Appendix 2.

Since Easter 2017, the Council has continued to receive noise complaints from residents arising from amplified music and excessive noise from customers in the external areas affecting local residents. The complaints describe nuisance from noise arising from amplified music, including pre-recorded music and karaoke until 0030 hours; shouting and swearing, including football chants from customers in the external areas until 0220 hours; revving of vehicle engines when collecting customers from outside of residents' homes. This has led to disturbed sleep, including the waking of children, and spoilt residents' enjoyment of their homes.

Despite letters and the statutory abatement notice, there is little evidence of the premises licence holder or any responsible person managing this situation. For examples, doors to the public house have been left open.

We recommended that the premises licence holder use the services of an acoustic consultant to provide management and design solutions, including to the internal fabric of the building (as the building is in a conservation area, there are restrictions as to what can be done externally). Whilst a consultant was commissioned in 2015, we are not aware of any such improvements.

Due to the noise complaints received from local residents and the inability of the premises licence holder or responsible person to manage or provide a solution to attenuate noise, Environmental Protection would like to make recommendations to prevent public nuisance.

We endorse the conditions and solutions proposed by Essex Police, Appendix G Police Suggested Conditions, and would like to see these enhanced further, having consulted with the Police Licensing Officer, as follows:

condition 3. 'That amplified and unamplified recorded and live music be permitted 10:00 – 23:00hrs daily'

be amended to 'no amplified or unamplified music to be played on the premises';

and

condition 7. 'That smoking be permitted only within yard at the rear of the premises and the numbers of smokers permitted at any one time be limited to not more than eight (8)'

be amended to 'smoking to be permitted only within the yard at the rear of the premises and the numbers of people permitted at any one time be limited to not more than eight (8). The yard at the rear of the premises not to be used at all after 21:00 hours'.

Representation by Environmental Protection, Maldon District Council

APPENDIX 1

Essex Police, Licensing Unit Premises Action Plan, October 2014



Premises Action Plan

| Premise Details: | |
|--------------------|--|
| Premises Name: | Warwick Public House, High Street Maldon CM9 5BU |
| Date of meeting: | 29 th October 2014 |
| Types of Incident: | Noise, Public Nuisance & Under Age Drinking |

| Location Information: | |
|---|--|
| Designated Premises Supervisor (DPS): | Emily Saffill |
| How long been DPS for Premises: | 17/09/2013 |
| Premises Licence Summary on display | Yes (checked 29/10/2014) |
| Licensing Objectives | Prevention of Crime & Disorder |
| | Public Safety |
| | The prevention of Public Nuisance |
| | The Protection of Children from Harm |
| Licensable Activities: | |
| Performance of Live Music | Fridays / Saturdays & Sundays 19:00hrs till 23:00hrs (Live Music Act 08:00hrs till 23:00hrs) |
| Performance of Recorded Music | Monday to Thursday 10:00 hrs till 23:30hrs Fridays / Saturdays & Sundays 19:00hrs till Midnight |
| | |
| Relevant Conditions on Licence under Annex 2: | 1,5 & 6 |
| Relevant Conditions on Licence under Annex 3: | 1 |
| | |
| Entertainment held at Venue: | Fridays – DJ Night (Recorded Music) |
| | Saturday – Live Music (Live Music) - Karaoke (Live Music) |

| Incidents |
|--|
| Between July and October 2014 - |
| |
| 1 mobile phone theft |
| 1 complaint of underage drinking |
| 1 Noise Nuisance (00:31hrs – Fri / Sat) |
| 1 Noise Nuisance (23:05hrs – Fri) |
| 1 Noise Nuisance (23:13hrs – Sat) |
| 1 Noise Nuisance (23:10hrs – Sat) |
| Disturbance – on premises – patrons being loud |
| Drinking in Street |
| CCTV requested and not available (not a condition of licence but CCTV installed) |
| |
| |

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|--|
| |
| Actions : |
| 1. Challenge 21 Posters to be displayed in all internal areas of the premises. |
| 2. Posters requesting persons to leave quietly to be displayed at all exits. <i>Fire Exit posters to be displayed.</i> |
| 3. Posters advising patrons that no glasses or opened bottles shall be taken from the premises and consumed outside the premises on the public highway to be displayed at all exits. <i>Posters to be displayed at Fire Exit and rear exit.</i> |
| 4. <i>Posters to be displayed at the rear exit advising that the door must remain closed at all times when live and / or recorded music is being played.</i> |
| 5. <i>DPS - Emily Saffill advised that they will make enquiries regarding an Independent Noise Assessment being undertaken at the premises</i> |
| 6. Two Picnic style benches positioned in a car parking space by the side of the outbuilding and closes to the public highway to be removed |
| 7. All staff to be made aware of conditions of premises licence / ID procedures |
| 8. Incident log to be in place and to be completed / updated by all staff when necessary |
| 9. Refusal Log to be in place. |
| 10. <i>Training Log to be set up for all staff</i> |
| 11. The CCTV system that is currently installed (not a condition of Licence) is to be maintained in working order and for details of retention period to be confirmed. Contact details to be provided for the relevant person who can operate / arrange for the data to be downloaded, if required by a Police Officer or other authorised officer of a relevant authority. |
| 12. <i>A written authorisation for the sale of alcohol for members of staff to be maintained with the original Premises Licence.</i> |
| 13. Increased monitoring of all outside areas by all staff - Friday & Saturdays from 20:00 hours until close. |
| 14. <i>When Regulated Entertainment is taking place at the venue, all outside areas are to be monitored for noise levels by a member of management / staff at hourly intervals. A record of these checks is to be maintained in a written / computerised format and will be made available on request by a Police Officer or other authorised officer of a relevant authority.</i> |
| 15. Rear Exit door to be repaired and an automatic door closure to be fitted. |
| Actions implemented: |
| 1. Challenge 21 Posters in place but DPS agreed to increased ID procedures and operate Challenge 25. <i>Posters to be provided</i> |
| 2. Posters in place in two exits. |
| 3. Posters in place at main high street entrance |
| 5. <i>Enquiries ongoing with premises owner - Mr J Purdy - with regard to any possible improvement to the rear entrance of the property - addition of an entrance porch – this would also be subject to planning / conservation requirements. An Independent Noise Assessment is also currently being considered.</i> |
| <i>DPS to keep Licensing Unit updated on progress.</i> |
| 6. Picnic style benches have been removed. |
| 7. DPS confirmed staff aware. |
| 8. Computerised Incident Log in operation and will be available to Police / Licensing Officers on request. |
| 9. Refusals Log on site. |
| 11. CCTV system installed retains data for 28 days and can be downloaded on request via contact with DPS - Emily Saffill only. |
| 15. Rear Exit Door repaired and door closure fitted. |
| 16. Additional measures put in place by DPS not included in Action Plan above: <ul style="list-style-type: none"> • One full time additional member of staff employed (within last 3 weeks). • Extra staff employed on a Friday & Saturday evening. • Plastic Beer Glasses recently purchased and used on a Friday & Saturday evening from 23:30 hours. |
| |
| |

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| | |
| Other information to note: | |
| Statutory Abatement Notice served on premises 13/12/2013 Maldon District Council – Environmental Department – Noise Complaint –letters issued to Miss A & Miss E Saffill - 8 th July 2014 Verbal Warning issued to both Miss E Saffill and Miss A Saffill at a meeting on the 21 st July 2014 with regard to the general management of the premises, noise nuisance and antisocial behaviour emanating from, with improvement required to support the four Licensing Objectives of the Licensing Act 2003. | |
| | |
| Next steps: | |
| DPS – Emily Saffill to advise Licensing Officer, via e-mail, when the above outstanding actions have been completed. Follow up meeting to be arranged before the end of November 2014. | |
| DPS – Emily Saffill to advise the Licensing Officer, via e-mail, of on-going progress with enquiries regarding possible improvements to the rear exit / outside area and the Independent Noise Assessment. First update to be provided no later than Monday 17 th November 2014. | |
| Report produced by: | |
| 8659 Goodchild Licensing Officer, LPA NORTH | Dated: 4 th November 2014 |
| Copies provided to: | Ms Alex Maschas, Licensing Officer Chelmsford City Council on behalf of Maldon District Council Mr Paul Pearce, Environmental Health Technician, Maldon District Council Inps 3245 Kilgallen, Chelmsford / Maldon District |
| | |
| | |

Note:

Details in either Action or Action Implemented detailed in *Blue Italics* are currently outstanding.

Action No 14 is to be agreed with DPS / Premises Licence Holders - Miss Emily Saffill & Miss Andrea Saffill.

Representation by Environmental Protection, Maldon District Council

APPENDIX 2

Letters from Environmental Protection, Maldon District Council, to the premises licence holder, Andrea and Emily Saffill from 2013 to 2017

Our ref 100091258361

4 July 2013

A & E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Sir or Madam

**Alleged noise nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990
Complaint Reference Number - 13/02438/NOISEC**

We are letting you know that we have received a complaint about noise arising from amplified music from live bands and DJs at the above premises until 1.00 a.m. and disturbances from customers in the car park.

We do not have any evidence to prove these allegations but it is our policy to let people know if we have received a complaint made against them. We are also required under the Environmental Protection Act 1990 to investigate complaints of this nature and take action where complaints are found to be justified.

Please consider whether this complaint could be justified and if so take reasonable precautions to resolve the matter. It is particularly important to keep noise levels as low as possible during evenings, night time, weekends and other sensitive times.

In the meantime we have asked the complainant to keep a record of any incidents that disturbs them so we can judge whether there may be a nuisance occurring. If we think that the records suggest that there may be one occurring we will need to investigate further to satisfy ourselves that there is a nuisance. Alternatively we may also decide that there is no need for further investigation. In either case we will contact you.

Please can I ask you to be aware of your licensing obligation for the prevention of public nuisance under the Licensing Act 2003. Please note the non-mandatory conditions on the licence 05/00719/LAPRE including hours that you are restricted to for regulated entertainment, the operation and maintenance of a noise limiter at the premises and ensuring that doors and windows are closed during periods of regulated entertainment.

You should also ensure that you are acting within any restrictions placed on you by any planning decisions at the premises.

If you would like to discuss this matter please contact me on 01621 875728.

/...continued

Yours faithfully

A handwritten signature in purple ink, appearing to read 'Paul Pearce', with a stylized, cursive script.

Paul Pearce
Environmental Health Technician
cc Spencer Clarke, Public Protection Manager for Maldon District Council
Peter Chown, Licensing Officer, Maldon District Council
Michael Fish, DPS of The Warwick Arms

Our ref 100091258361

7 October 2013

Miss A. Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Miss A. Saffill

**Alleged noise nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990
Complaint Reference Number - 13/02438/NOISEC**

Further to my our letter of 3 October 2013 we have received more complaints of noise coming from The Warwick Arms. This has arisen due to the playing of live and recorded amplified music. There were also allegations of anti-social behavior involving customers of the Warwick Arms which resulted in the police being called on or around midnight on Sunday 6/Monday 7 October 2013.

As previously stated we are required under the Environmental Protection Act 1990 to investigate complaints of this nature and take action where complaints are found to be justified. Therefore we shall be reopening our investigations. You also have obligations under your premises licence to prevent public nuisance and crime and disorder.

Please consider whether this complaint could be justified and if so take reasonable precautions to resolve the matter. It is particularly important to keep noise levels as low as possible during evenings, night time, weekends and other sensitive times.

In the meantime we have asked the complainant to keep a record of any incidents that disturbs them so we can judge whether there may be a nuisance occurring. If we think that the records suggest that there may be one occurring we will need to investigate further to satisfy ourselves that there is a nuisance. Alternatively we may also decide that there is no need for further investigation. In either case we will contact you.

If you would like to discuss this matter please contact me on 01621 875728.

Yours faithfully



Paul Pearse
Environmental Health Technician

cc Licensing Team
Public Protection Manager

Our ref 100091258361

13 December2013

Miss A. Saffill
A&S Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearce
Email: paul.pearse@maldon.gov.uk

Dear Miss Saffill

Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990
Complaint Reference Number – 13/02438/NOISEC

This letter does not form part of the Notice and should not be read as part of the Notice

I have evidence that you are causing a statutory nuisance and I therefore enclose an abatement notice, as I am required by law to serve.

I would draw your attention to the notes printed on the back of the notice.

Whilst it is not an offence to have an abatement notice served upon you it is an offence to breach the notice. Should further complaints be received I shall consider the seizure of your equipment and / or prosecution.

Do not hesitate to contact me should you wish to discuss this matter further.

Yours sincerely



Paul Pearce
Environmental Health Technician

cc: Licensing Team Maldon District Council

Our ref 100091258361

13 December2013

Miss E. Saffill
A&S Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearce
Email: paul.pearse@maldon.gov.uk

Dear Miss Saffill

Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990
Complaint Reference Number – 13/02438/NOISEC

This letter does not form part of the Notice and should not be read as part of the Notice

I have evidence that you are causing a statutory nuisance and I therefore enclose an abatement notice, as I am required by law to serve.

I would draw your attention to the notes printed on the back of the notice.

Whilst it is not an offence to have an abatement notice served upon you it is an offence to breach the notice. Should further complaints be received I shall consider the seizure of your equipment and / or prosecution.

Do not hesitate to contact me should you wish to discuss this matter further.

Yours sincerely



Paul Pearce
Environmental Health Technician

cc: Licensing Team Maldon District Council

ur ref 100091258361

8 July 2014

Miss E. Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Miss Saffill

**Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990
Complaint Reference Number – 13/02438/NOISEC**

We are continuing to receive complaints of noise from arising from amplified music and also from shouting and foul language coming from The Warwick Arms public house.

As a result of this we are asking the affected people to keep a record of these incidents for us to assess whether there is the potential for a statutory nuisance to exist. Should we conclude this we shall investigate further by attempting to witness in person and by the use of recording equipment.

Please can I remind you that the statutory abatement notice that was served on you on 13 December 2013 remains in force on you at the Warwick Arms. Should Maldon District Council establish that the terms of the notice have been breached this would represent a criminal offence and we will pass it to our legal team with a recommendation for prosecution. We will consider the seizure of equipment that could be involved in causing a nuisance.

In addition to this the Environmental Protection Team at Maldon District Council acting as a responsible authority under the Licensing Act 2003 are also likely to call in your premises licence for a review for failing to prevent a public nuisance. This could result in your premises licence being amended or revoked. Please be aware that any other members of the public so affected can similarly call in the licence for review

Thank you for your cooperation in this matter.

Yours sincerely



Paul Pearse
Environmental Health Technician

cc: Licensing Team Maldon District Council

ur ref 100091258361

8 July 2014

Miss A. Saffill
A&E Leisure
The Warwick Arms
185 High Street
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Thank you for your cooperation in this matter.

Yours sincerely



Paul Pearse
Environmental Health Technician

cc: Licensing Team Maldon District Council

ur ref 100091258381

2 December 2014

Ms A Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 13/02438/NOISEC**

As you are aware Maldon District Council is continuing to receive complaints of noise nuisance from activities held at the Warwick Arms, namely amplified music both live and recorded. You will be and have been made aware that this and other allegations of public nuisance and breaches of licensing conditions under the Licensing Act 2003 have been reported to the Licensing Authority and Essex Police.

As of the time of writing Maldon District Council is continuing to investigate the complaints of noise, which includes the installation of noise recording equipment.

Officers from the Licensing Authority and Essex Police will also continue to investigate allegations of the breaches of licence conditions / licensing objectives under the Licensing Act 2003 together with any criminal / public nuisance and anti-social behavior. These investigations include officer visits and the installation of noise recording equipment.

Please note that the statutory abatement notice served on you dated 13 December 2013 remains in force. If a contravention of this notice is established Maldon District Council may refer this evidence to its solicitors with a recommendation to prosecute under the Environmental Protection Act 1990. We may also apply for a warrant to seize any noise-making equipment on the premises.

Similarly should any evidence be gathered that indicates that any conditions on the premises licence are being breached and/or that the four licensing objectives are not being met any relevant authority, or any other person, may apply to the Licensing Authority for the review of the premises licence under the Licensing Act 2003. At a hearing, the Licensing Authority have a number of steps that can be taken for the promotion of the licensing objectives as detailed in Section 53C of the Licensing Act, these include the modification of the conditions, the exclusion of a licensable activity, removal of the designated premises supervisor, the suspension (not exceeding 3 months) or the revocation of the licence.

Should The Warwick Arms breach the conditions of the premises licence or exceed the licensable activity times you may be liable to prosecution under the following:

- **Licensing Act 2003 Part 7 section 136 Unauthorised licensable activities** a person commits an offence if he/she carries on a licensable activity on or from the premises otherwise than under and in accordance with an authorisation; or if he/she knowingly allows a licensable activity to be so carried on.

/...continued...

• A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

Please can I remind you that a Verbal Warning was issued at a meeting on the 21st July 2014 with the Police Licensing Team with regard to the general management of the premises, including noise nuisance and antisocial behavior emanating from, with improvement required to support the four Licensing Objectives of the Licensing Act 2003.

Recommendations were also made at a meeting with you, Paul Pearse of Maldon District Council and Trina Goodchild of Chelmsford / Maldon District Licensing Unit, Essex Police on 9 September 2014 at The Warwick Arms to, amongst other things, commission a noise impact survey and assessment and investigate any possible alterations to the fabric of the premises with the local planning authority. This was as a result of continuing complaints being received.

You have most recently agreed an Action Plan with Essex Police Licensing Unit Chelmsford / Maldon District. However to date no evidence has been provided that the recommendations made at the joint meeting in September have been pursued.

Despite this the authorities continue to receive complaints of noise / public nuisance including from the use of fireworks at the premises on 7 November 2014. We would expect that in the circumstances and until the investigating authorities have concluded their investigations that all opportunities are taken to minimise noise and any disturbance, paying particular attention to the forthcoming festive period during December and January.

Therefore you are strongly advised to ensure that your management practices and the manner in which licensable activities are held at the premises are done so in a manner which promotes the four licensing objectives of the Licensing Act 2003
Thank you for your cooperation in this matter.

Yours sincerely



Paul Pearse
Environmental Health Technician, Maldon District Council

And also on behalf of:
Trina Goodchild
Licensing Officer LPA North, Essex Police
Alexandra Maschas
Licensing Officer, Maldon District Council
Spencer Clarke
Community Safety Partnership Manager

ur ref 100091258381

2 December 2014

Miss E Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Miss Saffill

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Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 13/02438/NOISEC**

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Yours sincerely



Paul Pearse
Environmental Health Technician, Maldon District Council

And also on behalf of:
Trina Goodchild
Licensing Officer LPA North, Essex Police
Alexandra Maschas
Licensing Officer, Maldon District Council
Spencer Clarke
Community Safety Partnership Manager

Our ref 100091258361

10 April 2015

Ms E Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearce
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 13/02438/NOISEC**

Further to my letter of 2 December 2014 we note that Peak Acoustics have been commissioned to undertake a noise survey of the premises and recommend mitigation measures with a view to implementation.

We acknowledge that this is a positive step and spoke with Yuliya Smyrnova of Peak Acoustics on 28 January 2015 and exchanged emails with her most recently on 19 February 2015.

I have not heard any more from Ms Smyrnova or yourselves since then. Please can you update me on the progress of the noise assessment and proposed or actual mitigation measures that have been implemented to reduce noise from amplified music and customers. I would be happy to meet with you and your contractor on site to discuss this.

Please contact me by email and on 01621 875728.

Yours sincerely



Paul Pearce
Environmental Health Technician, Maldon District Council

cc Trina Goodchild, Licensing Officer LPA North, Essex Police
Alexandra Maschas, Licensing Officer, Maldon District Council

Our ref 100091258361

10 April 2015

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A&E Leisure
The Warwick Arms
185 High Street
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Paul Pearse
Environmental Health Technician, Maldon District Council

cc Trina Goodchild, Licensing Officer LPA North, Essex Police
Alexandra Maschas, Licensing Officer, Maldon District Council

Our ref 100091258381

29 June 2015

Ms A Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 13/02438/NOISEC**

Since my letter of 10 April 2015 we have not received any feedback from the results of the noise survey undertaken by Peak Acoustics including any recommendations to control noise at the premises.

Furthermore we have received further complaints relating to amplified music being played at The Warwick Arms. The most recent incident was on Friday 26 June 2015 where it has been alleged that amplified live music and singing was being in the rear external areas of the pub. Later on the nuisance was said to continue from pre-recorded music within the building. It has also been stated that doors have regularly been left open.

I have instructed affected people to keep records. In the meantime we shall be gathering evidence from the installation of noise recording equipment and personal visits.

If our evidence indicates that a nuisance is occurring we shall apply to review the premises licence under the Licensing Act 2003.

Please can I also remind you that the statutory abatement notice served on you dated 13 December 2013 remains in force. Therefore we shall pass any evidence to our solicitors with a recommendation of prosecution under the Environmental Protection Act 1990.

In the meantime I strongly recommend that you review your procedures to ensure that you are preventing a nuisance occurring from noise at the premises.

Thank you for your attention in this matter.

Yours sincerely



Paul Pearse
Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council

Our ref 100091258361

29 June 2015

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A&E Leisure
The Warwick Arms
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I have instructed affected people to keep records. In the meantime we shall be gathering evidence from the installation of noise recording equipment and personal visits.

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Paul Pearse
Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council

Our ref 100091258361

25 September 2015

Ms E Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 13/02438/NOISEC**

Maldon District Council we has received further complaints and completed record sheets relating to amplified music being played at The Warwick Arms.

I have instructed affected people to keep records. In the meantime we shall be gathering evidence from the installation of noise recording equipment and personal visits.

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Paul Pearse
Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council

Our ref 100091258361

11 January 2016

Ms E Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 13/02438/NOISEC**

Further to my letter dated 25 September 2015 Maldon District Council has not received any further complaints of noise from The Warwick Arms. Therefore we shall not be continuing with our investigations at the moment.

Please be aware that the statutory notice dated 13th December 2013 requiring the abatement of amplified music remains in force. Should we receive any further complaints or obtain any evidence to suggest that a nuisance is occurring we shall investigate them.

In the meantime I strongly recommend that you continue to monitor your premises to prevent public nuisance as you are obliged to do under the Licensing Act 2003.

We also suggest that if you continue to have performances of amplified music you establish what improvements can be made to prevent any nuisance occurring by taking advice from competent persons. We are aware that you did commission consultants to do this work at the beginning of 2015 but are unaware of any mitigation measures that were made as a result.

Thank you for your attention in this matter.

Yours sincerely



Paul Pearse
Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council
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Our ref 100091258361

11 January 2016

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Yours sincerely



Paul Pearce
Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council
Trina Goodchild, Essex Police Licensing Officer

Our ref 100091258361

16 February 2016

Ms E Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 13/02438/NOISEC**

Maldon District Council we has received further complaints of nuisance relating to amplified music being played at The Warwick Arms.

I have instructed the affected people to keep records. In the meantime we shall be gathering evidence from the installation of noise recording equipment and personal visits.

If our evidence indicates that a nuisance is occurring we shall apply to review the premises licence under the Licensing Act 2003.

Please can I also remind you that the statutory abatement notice served on you dated 13 December 2013 remains in force. Therefore we shall pass any evidence to our solicitors with a recommendation of prosecution under the Environmental Protection Act 1990.

In the meantime I strongly recommend that you review your procedures to ensure that you are preventing a nuisance occurring from noise at the premises.

Thank you for your attention in this matter.

Yours sincerely



Paul Pearse
Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council

Our ref 100091258361

16 February 2016

Ms A Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

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Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 13/02438/NOISEC**

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Paul Pearse
Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council

Our ref 100091258381

16 May 2016

Ms E. Saffill
A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

Dear Ms Saffill

**Statutory Nuisance at The Warwick Arms, 185 High Street, Maldon, Essex
Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 16/01566/NOISEC**

Maldon District Council we has received further complaints relating to amplified music being played at The Warwick Arms and also raised voices from customers in the car park and beer garden.

I have instructed affected people to keep records. In the meantime we shall be gathering evidence from the installation of noise recording equipment and personal visits.

If our evidence indicates that a nuisance is occurring we shall apply to review the premises licence under the Licensing Act 2003.

Please can I also remind you that the statutory abatement notice served on you dated 13 December 2013 remains in force. Therefore we shall pass any evidence to our solicitors with a recommendation of prosecution under the Environmental Protection Act 1990.

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Yours sincerely



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Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council
Nigel Dermott, Essex Police Licensing Officer

Our ref 100091258381

16 May 2016

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A&E Leisure
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to Paul Pearse
Email: paul.pearse@maldon.gov.uk

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Environmental Protection Act 1990 & Licensing Act 2003
Complaint Reference Number – 16/01566/NOISEC**

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Yours sincerely



Paul Pearse
Environmental Health Technician, Maldon District Council

cc Alexandra Maschas, Licensing Officer, Maldon District Council
Nigel Dermott, Essex Police Licensing Officer

13 June 2017

MALDON DISTRICT
COUNCIL

Princes Road
Maldon
Essex CM9 5DL



Ms. A Saffill
The Warwick Arms
185 High Street
Maldon
Essex
CM9 5BU

Enquiries to John Fairweather
Email: john.fairweather@maldon.gov.uk

Dear Madam

Alleged nuisance at 185 High Street, Maldon, Essex, CM9 5BU
Environmental Protection Act 1990 and Regulation Of Investigatory Powers Act 2000
Complaint Reference Number – 17/01808/NOISEC

I write further to my visit today regarding a complaint of loud music at the weekend.
As we discussed there was a cover band in the pub on Saturday night. I accept that this was a "one off" although you do still have regular karaoke.

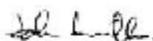
The standing advice remains, to ensure that the music is not so loud as to disturb neighbours and that doors and windows remain closed.

I will pass on your apologies to the complainant.

But I must remind you noise abatement notices served on yourself and your daughter Emily, remain in force and I will monitor the situation.

Should you have any queries please do not hesitate to contact me, on telephone number 01621 875895.

Yours faithfully



John Fairweather
Environmental Health Officer



www.maldon.gov.uk | CUSTOMER CONTACT CENTRE 01621 854477 | FAX 01621 852575

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Licensing Act 2003 - Notice of review of premise licence under section 51(3) of this act for

THE WARWICK ARMS, 185 HIGHT STREET, MALDON, ESSEX CM9 5BU

Dear resident,

Maldon District Council is required to gather representations by the **12th October 2017** from interested parties on the following criteria: prevention of crime and disorder, prevention of public nuisance, prevention of children from harm and public safety licensing. Your submission alongside those by **Essex Police** will be used to inform changes which need to be made to the premise license, to ensure noise and other nuisance which reduces the quality of life for some residents is addressed.

Important information

Under the Licensing Act 2003 the prevention of 'public nuisance' is one of the four licensing objectives that have to be achieved by all licensed premises. Public nuisance includes **noise, general disturbance, litter and antisocial behaviour**. Therefore, residents who have experienced 'nuisance' generated by The Warwick Arms must write to:

The Licensing Section, Maldon District Council, Princes Road, Maldon, Essex CM9 5DL

What nuisance have you experienced - what needs to change?

Noise nuisance: A noise abatement order has been in place since 2013 but does the music, (*amplified and non-amplified, karaoke singing*) frequently played with doors and windows open, create a booming noise from the strong bass beat in your property? Have there been occasions when you have found the music level invasive in your garden area? Loud music can be particularly problematic at night, as low frequency noise (bass) can often be heard some distance from the noise source – has this noise impacted on your ability to settle late at night/to sleep/been audible in a room over the sound of a TV?

General disturbance by use of car-park and access road: Have you found it difficult to park in resident parking bays due to the vehicles of patrons of the Warwick Arms doing so? Have you been disturbed by the noise of car stereos, slamming doors, revving engines, the horn or screeching tyres for example? Has anti-social behaviour/noise nuisance from the congregation of patrons in the car-park and access road affected you late at night or in the early hours?

General disturbance by use of other outside areas: The level of noise which is acceptable will vary depending on the time of the day and the prevailing background noise in the area, so, the use of the smoking shelter could be acceptable at lunchtime and early evening but may not be acceptable late at night when background noise levels tend to be lower and local residents are likely to be asleep – has your sleep or ability to settle in the evening been affected by rowdy, anti-social behaviour and foul language from patrons congregating in the vicinity of the car park, smoking shelter area and pavements outside the premises? Have you felt intimidated by patrons congregating on the pavements outside the premises? Have you encountered or been disturbed by problem or rowdy behaviour when accessing your property? Do you feel safe walking past these premises late at night? Has your property been damaged, littered or used as a urinal by patrons? Shouting or loud voices, are likely to be especially noticeable at night, when noise levels outside are relatively low - how and when does excessive noise of patrons leaving these premises impact on your quality of life? Since smoking has been banned in public spaces, patrons tend to congregate in the car park or on the pavements – do you find littering (dog-ends), taking of drinks to outside areas (broken glass and bottles) and associated rowdy behaviour unacceptable?

Action by 12th October 2017

These nuisances reduce the quality of life for residents and in the spirit of being a **good neighbour**, it is important that you use this opportunity to **share your experiences by writing** to the Licensing Section, Maldon District Council, Princes Road, Maldon, Essex CM9 5DL

Anonymity will, of course, be granted but your name and address must be supplied with your representation, but on a separate piece of paper.

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24th October 2017

Dear,

**Re: The Warwick Arms Premises licence review
Licensing Act 2003**

Thank you for your letter of representation in respect of the above premises.

The application for review made by Essex Police must now be determined at a meeting of Maldon District Council's Licensing Committee, and this will take place shortly. As soon as the date and time have been fixed, you will be formally advised of the details, and invited to attend.

I understand that a letter was circulated to residents after the application for review had been submitted, which potentially gave the impression that it had been sent, or issued by, Maldon District Council. The letter also stated that the authors of any representations made in respect of this application would be guaranteed anonymity. I need to make it clear that this letter was not sent by or on behalf of Maldon District Council, and there is no blanket right to anonymity for anyone making representation. Anonymity can be granted to an interested party making a representation where there are exceptional circumstances, as detailed in the statutory guidance issued under S.182 of the Licensing Act 2003:

9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

9.27 In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.

9.28 Where licensing authorities consider that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, they may wish to consider alternative approaches.

9.29 For instance, they could advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.

9.30 The licensing authority may also decide to withhold some or all of the person's personal details from the applicant, giving only minimal details (such as street name or general location within a street). However, withholding such details should only be considered where the circumstances justify such action.

If you would like the Licensing Authority to consider making your representation anonymous, we would be grateful if you would provide details of your reasons for this request as soon as possible, and in any event before the 10th November 2017.

You are entitled to withdraw your representation at any time, but unless anonymity is specifically requested and granted, Maldon District Council is under a duty to provide full copies of all representations received to the premises licence holder prior to the hearing taking place.

Please do not hesitate to contact me if you wish to discuss this matter further.

Yours sincerely,

Matthew Evans
Licensing Lead Officer
01245 606512
Matthew.evans@maldon.gov.uk


CM9 5HF

The Licensing Section
Maldon District Council
Princes Road
Maldon
Essex
CM9 5DL

9th October 2017

Dear MDC

RE: Warwick Arms, 185 High St, Maldon

I live within sight of the Warwick Arms and my bedroom windows overlook their carpark. I have never been unduly disturbed by them. I have of course heard activity, revelry and comings and goings at the pub. This however has never been excessive given that it is a pub and is altogether acceptable – I choose to live in a town centre and noise is inevitable.

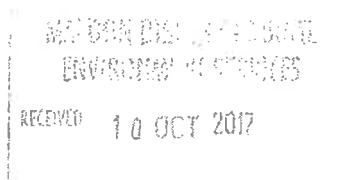
Live and let live: after all, the pub has been there longer than I have.

I think the Warwick Arms provides a useful contribution to the limited nightlife opportunities in a rapidly growing town.

Yours sincerely



Richard Adams



8th October 2017

THE WARWICK ARMS, 185 HIGH STREET, MALDON CM9 5BU

REVIEW OF LICENCE

In reply to your Notice of Review for the above Pub asking for near residents input:

NOISE: After closing time and up to about 1.30 a.m. on Fridays, there is always shouting and general disturbance around the Pub area, Victoria Rd. and High St. and this has continued for many years, which disturbs sleep and causes anxiety. Also on Friday nights there is always loud music, with a penetrating bass beat, until closing time.

PARKING: Drinkers are leaving their cars anywhere as the Pub has designated a sizable outside space for tables and seats and two new overnight accommodation cabins have been built in their car park, leaving less space available for parking. On several occasions of late, Pub patrons have left their vehicles in other peoples' designated parking spaces and the drivers have had to be found and asked to move their cars.

NUISANCE: Every week there is litter: empty cans, glass beer bottles, cartons, dog ends and broken glasses. The latter being both a hazard to health and car tyres. This has to be collected by the residents and disposed of. This should be done by the Pub staff.

Youths urinating to front of house and on two occasions over the last year, damage has been done to bricks on front of property and has had to be repaired.

Drugs exchanged for cash in Pub car park.

All the above is unacceptable and any change/improvement would be welcome.



A representation from residents neighbouring The Warwick Arms, 185 High Street, Maldon, Essex CM9 5BU, in response to the review of license under prevention of crime and disorder, prevention of public nuisance, prevention of children from harm and public safety licensing (*name and address supplied on a separate sheet*).

As neighbours of The Warwick Arms we would like to share our experience with this license review.

On Friday 6th October 2017 (*around 10:30pm*), returning home from supper in a local restaurant, a large gathering of young people blocked both sides of the pavement at the junction of Victoria Road and the High Street and were seen filtering into the car park/smoking shelter of The Warwick Arms. A number of them were clearly under age, dog ends littered the pavement and bottles dumped and smashed. We could see bottles of beer being taken out of the back door of these premises and consumed in this area.

A disco was in full swing and the amplified music echoed around the neighbourhood via the open rear door, on this occasion the front door to the premises was closed!

A group (*I would suggest at least 30*) were massed by the smoking shelter and their loud voices and foul, expletive ridden language followed us home. A man was also urinating in the corner of the car park against the house which starts Victoria Court.

Indoors at home, noise from the pub became increasingly invasive. It was difficult to settle to sleep and even watching TV was testing over the shouting, football chanting (*around midnight*) and aggressive exchanges in the early hours.

This noise nuisance carried on until 1:30 am when an incident occurred in the car park which caused a large group to run, shouting in pursuit of others along Victoria Road, before finally dispersing and leaving.

Meanwhile, a crowd gathered around a car which was playing amplified music in the car park and the noise of this car stereo, with the slamming of car doors, revving engine and screeching tyres as it left, disturbed us again.

This experience, of just one recent night, has been replicated to a lesser or greater extent every weekend for the last two years and we would suggest this level of disruption and anti-social behaviour is totally unacceptable in an otherwise quiet and law-abiding residential area.

At the very least, we would suggest the outside areas are:

- policed by security, as at other pubs in the High Street
- the number of patrons allowed to congregate in the car park/smoking shelter area capped
- sound levels from amplified music strictly controlled and all doors/windows shut whilst it is being played
- pavements left clear at all times

We would also suggest that a closing time of 11pm is appropriate at weekends in this location and further, that the local council enforces residents parking rights which are widely abused by patrons of The Warwick Arms at weekends.

Implementation of these measures would ensure the excesses of alcohol fuelled high spirits are no longer so blatantly visited upon the local community

A representation from residents neighbouring The Warwick Arms, 185 High Street, Maldon CM9 5BU, in response to the review of license under preventions of crime and disorder, prevention of public nuisance, protection of children from harm and public safety (name and address supplied on a separate sheet)

Noise nuisance.

We have lived in Victoria Road for many years. When we arrived the Warwick Arms was a busy but quite pub. The car park was a car park and drinkers did not use the street or car park. When the new Licensee took over the character of the pub changed overnight.

The first impact was recorded music played until all hours. No consideration was shown to neighbours. The volume of the music was such that we could hear it in our house, with our own windows closed, whether or not the pub had its doors closed. We could here the music over our TV. The nuisance was simply increased by drinkers entering and leaving the pub, as the sudden increase in volume simply increased the nuisance. The noise was enough to wake us up.

A year or so after taking on the license the licensee built a smoking shelter in the car park. After this there has been no let up in noise, regardless of whether there is music in the pub, as the noise of the music is now often drowned out by the noise of drinkers in the car park and street.

The noise is such that it seems that people are right outside our window. This is a different type of noise to the regular pounding bass that comes from from the DJ. The volume of speech of the drinkers slowly increases over the course of a weekend evening. However, it is not just the volume. Drinkers argue, fight, men and women scream and swear. Often it sounds like a serious assault may be going on.

Examples of disturbance and nuisance.

- 5th November. For the last 3-years the licensee has barricaded the car park and set off large fireworks in the car park. The noise is deafening from 9-10pm, and then restarts with sporadic explosions after hours.
- During some sporting events the pub has installed a TV in the car park and broadcast late into the night. This last happened during the football worldcup in 2014. As the world-cup was in Brazil, match times could be very late at night and again the noise nuisance was incredible.
- Last summer the pub had a music concert in the car park. Live music started at about 5pm and continued late into the night. I stood outside my house and having phoned the police to report this nuisance, the police operator found it difficult to understand me because of the volume of the music.
- In the past, Carnival weekend has involved setting up amplifiers and a sound system in the car park blaring loudly from breakfast time onwards.
- In early August this year, we were woken on Sunday morning at 7am, by the sound of Frank Sinatra singing My Way. I got up and walked into the street to

check where the noise was coming from. The recorded music was coming from the Warwick Arms. This one song repeated over and over for two hours.

These episodes are just a few examples of the activities carried out by the licensee that leads to nuisance from noise from the pub and behaviour of pub users.

There are times, especially on hot summer nights when we need to open our bedroom windows. On these summer weekends, we are forced to leave the street, or endure a sleepless night. We are unable to sleep with our windows closed, because of the heat, and we can't sleep with our windows open because of the noise nuisance from the pub.

General disturbance

Damage to house - Drink thrown onto front door.

We were away for a few days over the Easter holidays. On our return on 3rd April it was clear that someone had thrown a drink at our front door. There was a sticky residue of a liquid, from top to bottom of the door. We took photographs of this

We have awoken to find plants pulled up and left on our door step.

We regularly find broken glass and bottles in the street. We have found broken glass under wheels of our car. We now check beneath our car on Saturday and Sunday mornings, to check for glass.

Car parking by users of the pub.

On Friday afternoons our street fills up with vans and lorries as drivers park in our controlled parking zone and walk into the Warwick Arms. We have questioned parking attendants as to why they do not put tickets on these vehicles. We've been told that they will not ticket such vehicles as they feel intimidated and concerned for their own safety. They have said they photograph vehicles and send them in the post.

The Warwick Arms, 185 High Street Maldon, Essex CM9 5BU



Noise Nuisance – since the noise abatement order was put into place in 2013 I have seen very little difference in the level of noise coming from the Warwick Arms, in particular on a Friday and Saturday night. The back door to the car park is supposed to be kept shut but there is nobody policing that and, especially in the Summer months the door remains open for most of the day and night, meaning that loud music becomes intrusive in my home. On bad days in the summer, it would mean that I could not sit in my garden as the music was so loud. However, the real problem is the noise caused by customers standing in the car park or smoking in the shelter. The volume of noise wakes me up just about every weekend. For example, this weekend, on Friday night I was woken at midnight by shouting and screaming coming from the car park. I went back to sleep and was then woken again at 1.30am by a car in the car park playing loud music and a group of people standing around the car shouting and screaming. Saturday night I was woken at some time after midnight, again because of shouting and screaming in the car park. There are often arguments at that time of night and one night there was a stabbing. On really bad evenings I have to turn up the television as the noise is so loud I can't hear it.

General Disturbance by use of car park and access road – much I have already mentioned above but on a Friday and Saturday night it is virtually impossible to park in the resident parking bays in my road. I don't know whether that is solely because of patrons of the Warwick Arms but it is certainly partly because of them. The most problems with noise come from the car park and the smoking shelter. There are regularly arguments after closing time in the pub and this can occur at any time but generally is between the hours of midnight and 3.30am. This is not a one off occurrence but happens just about every weekend.

General disturbance by use of other outside areas – I don't generally have a problem with the outside areas being used during the day although there have been times when the music is played in the car park and the bass beat is so loud that I have had to go out because it was making being at home so

unpleasant. This is not all the time. The worst of the noise is, as I have said previously, on a Friday and Saturday night. Foul language is the norm. My daughter has had glasses thrown at her and suggestive comments made when she walks past. The patrons can sometimes be very intimidating if you are a lone female walking past. There is broken glass on the pavements frequently as well as dog ends and unfinished glasses of alcohol lining the walls on a Saturday/Sunday morning. I don't know what licensing hours they are keeping but there seems to be alcohol being consumed well in to the early hours of the morning. There are also cars pulling up, passing things out of their window and then driving off which leads me to wonder whether there is drug dealing going on from the pub too. I have a baby granddaughter and she is also woken up constantly by the noise as she sleeps at the front of the house.

Due to the intimidation by the patrons of the pub I would be fearful of my name being associated with any complaint against the pub. The Rose and Crown is open much later than the Warwick but they have bouncers on the door and are very respectful of the local residents. There is no such respect from the Warwick Arms. I would love to have a weekend when I could have an uninterrupted nights sleep and hope that something can be done to rectify the problem.

The Licensing Section
Maldon District Council
Princes Road
Maldon
Essex
CM9 5DL



11th October 2017

Dear Sir/Madam

Re: The Warwick Arms Public House, High Street, Maldon

I have to put up with excessive noise from this pub every Friday and Saturday night.

People are outside till very late, screaming, laughing very loudly, shouting, swearing and generally being a damn nuisance.

Blood and vomit stains are all over the pavement which is quite disgusting. The litter dropped by the patrons is spoiling the nearby residential streets, plus I have personally witnessed males urinating and "sniffing coke" on the driveway adjacent to my property.

The nuisance caused by not only The Warwick Arms but also the Ship and Anchor, also located near my property, has forced me to make the decision to move. It seems quite ridiculous to me that a lovely town such as Maldon, is blighted by so many pubs and youngsters from out of town coming to Maldon to generally create a nuisance.

I now don't go out at night in Maldon as I don't feel safe.

Drink and late opening times are ruining this town and generally towns all over the country, who's idea was that, I wonder !!!

Yours faithfully

Dear Sir,

In reply to your letter
re the licensing of The
Warwick Arms.

My only problem with the
Warwick is litter in the street.
Cigarette ends, mostly around the
entrance door.

Sometimes glasses & beer cans left
along the road.

Sometimes broken glass on the
pavement and in the road is not
cleared up quickly.



The Warwick Arms, 185 High Street, Maldon, Essex CM9 5BU

I am writing to share my experiences of the nuisance I have experienced from the pub.

Noise nuisance – Regular disturbance at night from music which I can hear booming above the sound of my TV in the front of my home with the windows closed. I can also hear it later at night when I am in bed in the back of the house. It has also been very loud on Sundays during the day when it is a Bank Holiday Weekend and it spoils a peaceful rest in my garden.

General Disturbance by use of car-park and access road – I do find it difficult at times to park outside my house and I pay for a permit. Particularly on a Friday afternoon/early evening from about 5.30. There is one particular offender who is at the pub most early evenings and regularly parks in residential spaces. The noise in the late hours of Friday and Saturday evenings is particularly bad. I have called the police twice to complain as I thought there were fights going on in the road outside my house. The shouting, screaming, offensive language, revving engines, car music and door slamming are a regular occurrence when pub patrons leave the premises and this dreadful noise regularly disturbs the children and frightens them because it wakes them with a start. There are often drunk people right outside my house, shouting and generally making a terrible noise very late at night with no consideration at all for residents. I regularly find bottles and glasses left on my doorstep! Having nearly trodden on them when going outside in the morning has made me very angry as it could cause a serious accident – this is not acceptable. People do not stay within the pub premises and regularly drink outside the pub on the pavement...bottles and glasses can usually be seen in the morning along the pub car park wall. Twice I have noticed there has been broken glass on the pavement in the morning.

I have lived in the street for a number of years and since the current licensee has been running the pub, it has changed the quality of mine and my family's lives, it is totally unacceptable to have to put up with these disturbances through the night, to feel worried that the car will be damaged and to find pub debris on my doorstep. I had thought one evening that my neighbour's car had got damaged during a fight as I heard a loud bang but it was someone kicking a car in the middle of the road when a violent argument was going on. This was one incident when I did call the police. I would like to see some measures put in place to prevent these awful disturbances affecting mine and my families lives.



Re: Warwick Arms, 185 High Street, Maldon.

I am writing in regard to the review of premise licence of the above public house.

Firstly I would like to say I haven't really had a problem with the music from inside the pub. There has only been a few occasions where this has been that loud that it has affected me.

With regard to noise outside this is a nuisance that I endure most weekends. The pub car park is directly opposite my bedroom and lounge window and when customers are outside smoking the level of noise can be awful. This can still be heard through my double glazed windows. There is often shouting and arguing which has woken me up on many occasions. On some occasions this has been as late as 2 or 3 am. During the summer it is unbearable due to having my windows open.

Most of these occasions have been at weekends but there has also been the odd occasion during the week where I have been woken up in the early hours of the morning due to a disturbance outside.

My car has been damaged on two occasions where fights have taken place and the two parties involved were pushing each other on to my vehicle which resulted in dents. They are still visible on my car. I have also had blood splattered up my vehicle when a fight broke out.

I have also had to endure foul language and abuse from customers who have parked outside my house in a permit parking zone. Last Saturday was a prime example. I returned home at about 11pm and could not get parked. I did not recognise any of the cars belonging to my neighbours so I started to take pictures of the vehicles. I was approached by a woman who asked why I was taking pictures of her car to which I replied it's a permit parking area and you shouldn't be parked here. After receiving some verbal language she did however move her car. I continued to observe the pub over the next hour and saw 2 people come out of the pub and go to cars that were parked outside. This really frustrates me as not only does it mean I can not park outside my house but I pay for a permit and people think they can just park there for free.

I have not seen a traffic warden out of an evening at all since the 2years I have lived here.

I have also on many occasions found beer glasses and cigarette ends sprawled outside my house and along the pavement. I usually pick these up and return them to one of the benches in the pub car park.

10th Oct. 2017.

Licensing Section
Malden District Council

re. The Warwick Arms.
185 High St Malden.

1. I live a few doors away, in Victoria Rd and the ^{noise} volume from the pub can be disturbing late at night. Music + shouting.
2. The pavement by the pub I usually avoid ~~at~~ especially in the morning.
~~It~~ Often there is broken glass / sick to negotiate.

However I know the pub is popular + it does promote live music, which generally is a good thing to be welcomed, when it's carefully managed in a residential street.

Name + address supplied
separately.

RECEIVED 11 OCT 2017

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