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APOLOGIES Committee Services
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Council Chamber 01621 859677

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

06 June 2018

Dear Councillor

You are summoned to attend the meeting of the;

LICENSING SUB-COMMITTEE on THURSDAY 14 JUNE 2018

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

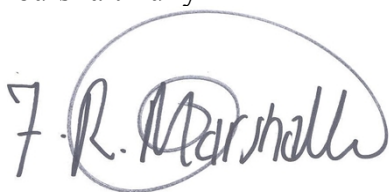
To consideration an application for the review of a Premises Licence, under the provisions of the Licensing Act 2003, at **10.00 am**.

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

B S Beale MBE
R G Boyce MBE
A S Fluker
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).

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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 Miss Tara Bird who is on my left.

The Legal Advisor is Mr Simon Quelch and the Licensing Officer is Mr Daniel Winter.

Mr Winter 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 is..... (e.g. 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

THURSDAY 14 JUNE 2018

1. **To appoint a Chairman for hearing**
2. **Chairman's notices (please see below)**
3. **Apologies for Absence**
4. **Licensing Act 2003 - The Warwick Arms, 185 High Street, Maldon, Essex, CM9 5BU (Pages 7 - 28)**

To consider the report of the Director of Planning and Regulatory Services, (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.

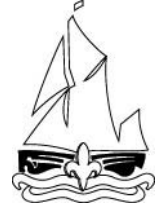
Health and Safety

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 PLANNING AND REGULATORY SERVICES**

**to
LICENSING SUB-COMMITTEE
14 JUNE 2018**

**LICENSING ACT 2003 - THE WARWICK ARMS, 185 HIGH STREET, MALDON,
ESSEX, CM9 5BU**

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to consider an application to vary a premises licence to specify an individual as the Designated Premises Supervisor (DPS) under the Licensing Act 2003, following representations received in respect of the application from Essex Police.

2. RECOMMENDATION

That the Licensing Sub-Committee considers the objection from Essex Police and decide whether to grant or reject the application.

3. SUMMARY OF KEY ISSUES

- 3.1 Section 37 of the Licensing Act 2003 allows the Premises Licence Holder to make an application to appoint a new DPS. A copy of the current Premise Licence is attached as **APPENDIX A**.
- 3.2 The application must be made to the relevant Licensing Authority and served simultaneously on the Chief of Police for the area in which the premises are situated.
- 3.3 The application proposes Andrea Denise Safill as the DPS.
- 3.4 A copy of the application made by Emily Dorothy Safill is attached, as **APPENDIX B**. Members will note that the licence is held by A & E Leisure, and are advised that A & E Leisure is a partnership between Emily and Andrea Safill and that Emily is therefore entitled to make this application on behalf of their partnership.
- 3.5 When the Chief of Police is satisfied that the exceptional circumstances of the case are such the granting the application would undermine the crime prevention objective, a notice stating the reasons must be given to the Licensing Authority.
- 3.6 A copy of the Police Objection Notice is attached as **APPENDIX C**. A copy of the objection notice was sent via email and by post to the applicant on 15 May 2018.

- 3.7 The Licensing Authority must hold a hearing to consider the notice unless the licensing authority, the applicant and the Chief Officer of Police who gave the notice agree it is unnecessary. Such a hearing must be held within 20 working days from the last day the police could have objected. The last day of consultation was the 16 May 2018; as such a hearing must take place on or before 13 June 2018. In this case the date of the hearing falls 21 working days after the last day of consultation to coincide with a separate hearing. This was agreed by Maldon District Council Legal department as it was felt it was not in the public interest to hold a second hearing consecutively over a two day period and would serve purpose to hold them both on the same day.
- 3.8 At any time before the hearing the police may withdraw the notice. However at the time of writing this report they have not done so.
- 3.9 Following the hearing the Licensing Authority must give notice of the decision to the applicant, the proposed DPS and the Chief Officers of Police.

4. CONCLUSION

- 4.1 Members must decide if they consider that it is appropriate for the promotion of the crime prevention objective to reject the application to vary the DPS at The Warwick Arms, 185 High Street, Maldon,
- 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 Councils 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 identified.
- (ii) **Impact on Equalities** – None identified.

- (iii) **Impact on Risk** – None identified.
- (iv) **Impact on Resources (financial and human)** – None identified.
- (v) **Impact on the Environment** – None identified.

List of Appendices:

APPENDIX A	Copy of The Warwick Arms Premises Licence
APPENDIX B	Copy of Application form to Vary the DPS
APPENDIX C	Copy of Police Objection Notice

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
4. Application file held by Licensing Authority

Enquiries to: Daniel Winter, Licensing Officer, (Tel: 01245 606317).

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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


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: [REDACTED]

Licensing Authority: [REDACTED]

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

Application to vary a premises licence to specify a DPS

MALDON DISTRICT COUNCIL

Princes Road
Maldon
Essex CM9 5DL



www.maldon.gov.uk Telephone 01621 854477 or email licensing@maldon.gov.uk

Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/we EMILY DOROTHY SAFFILL
(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

05 00719 / LAPR040

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description

THE WARWICK ARMS
185 HIGH STREET

Post town

MALDON

Post code (if known)

CM9 5BU

Telephone number (if any)

Description of premises (please read guidance note 1)

PUBLIC HOUSE

Part 2

Full name of proposed designated premises supervisor

ANDREA DENISE SAFFILL

Nationality

BRITISH

Place of birth

MALDON

Date of birth

Personal licence number of proposed designated premises supervisor and
issuing authority of that licence (if any)

17/00595/LAPER - MALDON

Full name of existing designated premises supervisor (if any)

EMILY DOROTHY SAFFILL

Please tick yes

I would like this application to have immediate effect under
section 38 of the Licensing Act 2003

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give
reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee ☒
- I will give a copy of this application to the chief officer of police ☒
- I have enclosed the consent form completed by the proposed premises supervisor ☒
- I have enclosed the premises licence, or relevant part of it or explanation ☒
- I will give a copy of this form to the existing premises supervisor, if any ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 153 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

Part 3 – Signatures (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date

1. 05. 18

.....

Capacity

DPS - CURRENTLY

.....

For joint applicants signature of 2nd applicant 2nd applicant's solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

ANDREA SAFFL

.....

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

Consent of individual to being specified as premises supervisor

MALDON DISTRICT COUNCIL

Princes Road
Maldon
Essex CM9 5DL



www.maldon.gov.uk

Telephone 01621 854477 or email licensing@maldon.gov.uk

Consent of individual to being specified as premises supervisor

I ANDREA DENISE SAFFILL
[full name of prospective premises supervisor]

of THE WARWICK ARMS
185 HIGH ST
MALDON
ESSEX
CM9 5BU

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

vary a premises licence to specify a OPS
[type of application]

by

EMILY SAFFILL
[name of applicant]

relating to a premises licence 05 00719 / LAPRE 040
[number of existing licence, if any]

for

THE WARWICK ARMS
185 HIGH ST
MALDON
ESSEX
CM9 5BU

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

EMILY SAFFILL
[name of applicant]

concerning the supply of alcohol at

THE WARWICK ARMS
185 HIGH ST
MAIDON
ESSEX
CM9 5BU

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any]

Personal licence issuing authority

MAIDON DISTRICT COUNCIL
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

ANDREA DENISE SAFFILL

Date

01.05.18.

Warwick Arms 185 High Street Maldon, CM9 5BU

Andrea Saffill has applied to be the DPS at the above venue. Andrea was the main day to day manager of these premises at a time when the Premises Licence was reviewed in December 2017 following Essex Police application. Essex Police submitted at that hearing that they would recommend a change of DPS from Emily Saffill to Andrea in order that there was a person who had day to day accountability for the control and conduct of the business.

The central issues relating to the review were that there were numerous reports of suspected drug use and supply connected with the premises, supported by the police licensing officer finding children smoking cannabis in an out building contained within the curtilage of 'The Premises' and on a further occasion where he witnessed persons coming out onto the street with pints of lager and snorting cocaine from the back of their hands. At the same time a number of licence breaches were noted. In addition there were numerous complaints of public nuisance by local residents, most of whom who had witnessed incidents of public disorder that were seemingly not being reported to police.

Following the licensing hearing a number of changes and additions were made to the conditions of the Premises Licence as well as amending hours of trading and a suspension of 1 month.

Subsequently an application has been made to the magistrates court appealing those decisions with a hearing set for 2nd July 2018.

Since the review hearing there have been further reports of suspected drug use and supply together with reported incidents of violence and nuisance. The conclusion therefore is that Andrea Suffill – who would have been appointed DPS following the decision of the sub-committee – has been unable to manage the premises and address any concerns that Essex Police had at the time of the review hearing.

Essex Police are therefore of the opinion that the management have failed to address the concerns around failing to prevent crime and disorder, harm to children and public nuisance by the same person who now applies to be DPS at that venue and that this in fact merely an administrative change.

Essex Police therefore formally object to Andrea Saffill being appointed as the DPS of this Premises Licence.

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