

UPDATED



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DIRECTOR OF STRATEGY,  
PERFORMANCE AND  
GOVERNANCE'S OFFICE  
DIRECTOR OF STRATEGY, PERFORMANCE  
AND GOVERNANCE  
Paul Dodson

03 March 2021

Dear Councillor

You are summoned to attend the meeting of the;

**LICENSING SUB-COMMITTEE on THURSDAY 11 MARCH 2021 at 10.30 am**

Please note that this will be a **remote meeting** – Members to access the meeting via Microsoft Teams. Members of the press and public may listen to the live stream via the [Council's YouTube channel](#).

To consider an application for a Major Variation to a Premises Licence, under the provisions of the Licensing Act 2003.

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 email Committee Services 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 black ink, appearing to read 'P. Dodson'.

Director of Strategy, Performance and Governance

COMMITTEE MEMBERSHIP

COUNCILLORS

M F L Durham, CC  
M W Helm  
C Mayes  
Mrs J C Stilts

Please note: Electronic copies are available via the Council's website [www.maldon.gov.uk](http://www.maldon.gov.uk).

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LICENSING ACT 2003 – HEARINGS OF THE LICENSING SUB-  
COMMITTEE AIDE MEMOIR – PREMISES LICENCE

**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. The Chairman of the Hearing will then outline the procedure to be follows. 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.
2. All people present to identify themselves by name and who they represent.
3. A brief outline of the application will be given by the Licensing Officer.
4. The Applicant to make an opening statement.
5. The Applicant to call witnesses\*.

*\*Please note: 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.*

6. Each Responsible Authority, followed by the Licence Holder 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.
7. Members of the Sub-Committee may ask questions to elicit information from any party at any time during the Hearing.
8. 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.
9. Each Responsible Authority, the Licence Holder and/or Interested Party (or their spokesperson) then makes closing statements in turn.
10. The Applicant then makes a closing statement.
11. 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.
12. The meeting will close at this point.
13. Members of the Sub-Committee should then discuss the evidence and representations made before reaching their decision (this will be done after the meeting has closed and parties will be notified of the decision afterwards).
14. 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.*



**AGENDA  
LICENSING SUB-COMMITTEE**

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**THURSDAY 11 MARCH 2021**

1. **To appoint a Chairman for the hearing**
2. **Chairman's notices**
3. **Apologies for Absence**
4. **Disclosure of Interest**
5. **Licensing Act 2003- Application for a Major Variation to a Premises Licence -  
Crouch Ridge Vineyard, Fambridge Rd, Althorne, Maldon, Essex CM3 6B2**  
(Pages 7 - 38)

To consider the report of the Director of Service Delivery, (copy enclosed).

**NOTICES**

**Recording of Meeting**

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session. At the start of the meeting an announcement will be made about the meeting.



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**LICENSING SUB-COMMITTEE  
11 MARCH 2021**

**LICENSING ACT 2003 - APPLICATION FOR A MAJOR VARIATION TO A  
PREMISES LICENCE - CROUCH RIDGE VINEYARD, FAMBRIDGE ROAD,  
ALTHORNE, MALDON, ESSEX, CM3 6BZ**

**1. PURPOSE OF THE REPORT**

- 1.1 To consider an application for a major variation to a current premises licence, reference 19/00160/LAPRE, under section 34 of the Licensing Act 2003, having regard to representations received and the requirement to promote the four licensing objectives:
1. the prevention of crime and disorder
  2. public safety
  3. the prevention of public nuisance
  4. the protection of children from harm

**2. RECOMMENDATION**

That the Licensing Sub-Committee determines the application for the variation to the current Premises Licence taking into consideration the options that are available as detailed in 4.1 below.

**3. SUMMARY OF KEY ISSUES**

- 3.1 Crouch Ridge Vineyards is a 15-acre vineyard with a wine barn where wine is sold and made from grapes grown from the vineyard. The existing licence authorises the sale of alcohol between 10:00 until 18:00 daily for on and off sales, allowing consumption on the premises. Due to an increase in wine production and the range of wine on offer the premises licence holder is looking to expand the business. This includes wine tasting, wine & food pairings and a restaurant.
- 3.2 The applicant has applied to extend the licence to sell alcohol until 23:00 on all days in order to hold evening wine tasting, tasting evenings and food & wine pairings.
- 3.3 The complete application was received on 21 January 2021 for the following licensable activity:
- Sale or supply of alcohol from 10:00 – 23:00

- 3.4 As part of the licensing process, a complete copy of the application was sent out to responsible authorities for consultation that concluded on 18 February 2021.
- 3.5 The application has been properly made in accordance with the Licensing Act 2003 and all procedures correctly followed. The completed application form is attached as **APPENDIX A**.
- 3.6 The application was correctly advertised in a locally circulated newspaper within the timescale allocated under legislation, on the premises and on Maldon District Councils Website.
- 3.7 Members are asked to note that as this report is published publicly, personal details have been redacted from some documents; however, the licensing authority and the applicant have received complete copies of all documents.
- 3.8 During the course of the consultation period relevant representations were received from 4 members of the public on the grounds of 3 of the licensing objectives. Copies of all representations received are attached to this report as **APPENDIX B**.
- 3.9 A Plan indicating the location of the premises is attached as **APPENDIX C**.
- 3.10 A copy of the current premise licence ref, 19/00160/LAPER, is attached to this report as **APPENDIX D**.

#### **4. CONCLUSION**

- 4.1 Members are advised that they have the following options when determining the application.
- (i) Grant the application, on the terms and conditions applied for.
  - (ii) Grant the application, on the terms and conditions applied for modified to such extent as considered appropriate to promote the Licensing Objectives.
  - (iii) Refuse the application in whole or in part.
- 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 STRATEGIC THEMES**

- 5.1 The following strategic themes 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 strategic theme 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)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – 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
4. Application file held by Licensing Authority

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

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**MDC**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[contact@maldon.gov.uk](mailto:contact@maldon.gov.uk)  
 Telephone: 01621 854 477

\* required information

### Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

- System reference  This is the unique reference for this application generated by the system.
- Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
- Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
- Yes  No

### Applicant Details

- \* First name
- \* Family name
- \* E-mail
- Main telephone number  Include country code.
- Other telephone number
- Indicate here if you would prefer not to be contacted by telephone

- Are you:
- Applying as a business or organisation, including as a sole trader
- Applying as an individual
- A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

- Is your business registered in the UK with Companies House?  Yes  No
- Is your business registered outside the UK?  Yes  No
- Note: completing the Applicant Business section is optional in this form.
- Business name  If your business is registered, use its registered name.
- VAT number   Put "none" if you are not registered for VAT.
- Legal status

*Continued from previous page...*Your position in the business Home country 

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 18****APPLICATION DETAILS**

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

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number 

Are you able to provide a postal address, OS map reference or description of the premises?

 Address     OS map reference     Description
**Postal Address Of Premises**Building number or name Street District City or town County or administrative area Postcode Country **Premises Contact Details**Telephone number

*Continued from previous page...*Non-domestic rateable  
value of premises (£)

8,500

**Section 3 of 18****VARIATION**Do you want the proposed  
variation to have effect as  
soon as possible? Yes  NoDo you want the proposed variation to have effect in relation to the  
introduction of the late night levy? Yes  NoYou do not have to pay a fee if the only  
purpose of the variation for which you are  
applying is to avoid becoming liable to the  
late night levy.If your proposed variation  
would mean that 5,000 or  
more people are expected to  
attend the premises at any  
one time, state the number  
expected to attend**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Crouch Ridge Vineyard is a 15 acre vineyard with a wine barn where wine is sold made from the grapes grown from the Vineyard. Currently we have a licence from 10.00 till 18.00 for people to buy our wine to takeaway and to consume our wine on the premises. With the amount of wine we can produce increasing, and the range of wines we are making we need to expand our operation.

This includes wine tasting, wine &amp; food pairings and a restaurant. We wish to extend our licence to 10.00 till 23.00 in order to hold evening wine tasting, tasting evenings and food and wine pairings. We are becoming know as a great place to go for fine local wines and good local food, and to accommodate our popularity we would like to extend our hours so more people can enjoy what Crouch Ridge has to offer with specials menus and award winning wines and locally made drinks.

**Section 4 of 18****PROVISION OF PLAYS**[See guidance on regulated entertainment](#)Will the schedule to provide plays be subject to change if this application to  
vary is successful? Yes  No**Section 5 of 18****PROVISION OF FILMS**[See guidance on regulated entertainment](#)Will the schedule to provide films be subject to change if this application to  
vary is successful? Yes  No

*Continued from previous page...*

### Section 6 of 18

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

### Section 7 of 18

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

### Section 8 of 18

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

### Section 9 of 18

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes  No

### Section 10 of 18

#### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes  No

### Section 11 of 18

#### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes  No

Continued from previous page...

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes  No

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

*Continued from previous page...*

Will the sale of alcohol be for consumption?

- On the premises     
  Off the premises     
  Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

**Section 14 of 18**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Times the licence authorises the carrying out of licensable activities  
The opening hours of the premises

I have enclosed the premises licence

*Continued from previous page...*

I have enclosed the relevant part of the premises licence

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

**Section 16 of 18**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

We will continue with the following policies we outlined in the original application which includes the following.

Mobile phone will be with the DPS at all times during operating hours to contact local police to provide rapid response to any situation of disorder which may endanger the customers and staff on premises.

All instances of crime and disorder are notified by the DPS by mobile phone instantly to the police.

Keep out excluded individuals.

Lighting will be fully in operation when the public are present on the premises.

In the event of the failure of the normal lighting the public and staff will leave the premises within 20 minutes.

Fire action notices will be placed in prominent places and protected from damage and deterioration.

Fire log book will be kept and updated when necessary, and the fire service notified immediately to any outbreak of fire.

First Aid equipment and materials will be available at all times, and a member of staff will be trained in first aid.

Security equipment will be placed on the premises to deter crime.

The sale of alcohol for consumption else where will be in sealed bottles only.

Proof of Age cards - Policy will require proof of photographic ID cards and Challenge 25 policy.

Litter bins will be provided on site to allow the safe disposal of rubbish on site.

b) The prevention of crime and disorder

A mobile phone will be provided in good working order to the DPS, and will be carried with them at all times. If necessary they will call the police if they feel there is any disturbance, or if they feel there is a threat to the public or staff.

Responsible and effective management of premises.

Alcohol will be refused to children under the age of 18 years old. Challenge 25 scheme. Proof of approved photographic ID will be required.

Bans will be issued to people who are a nuisance and will be notified to the relevant authorities.

Alcohol will be refused to people who are drunk on the premises or have been banned from other premises, that we have been notified about.

Training and supervision of staff will be organised and managed by the DPS.

c) Public safety

Police will be notified immediately if there is a situation of disorder that is a threat to members of the public and/or staff.

In the event of the failure of the normal lighting, emergency lighting will be provided and members of the public and staff will be evacuated within the period of 20 minutes.

Fire Action notices will be placed in prominent places and protected from damage and deterioration for members of staff and the public to notify the fire brigade and where to locate on the site for safety.

A fire log book will be kept in a secure place and will be updated as necessary, available to be shown to relevant authorities.

External lighting will be installed to help aid the public to access around the site.

Members of the public that are intoxicated will be refused alcohol and will be asked to leave the premises in a safe manner.

Members of the public that have been banned from other premises will also be banned from our premises as long as we have been notified.

Access areas for the emergency services will be kept clear at all times.

Staff will be trained to deal with the general public in the case of emergencies, and drills will be undertaken regularly.

*Continued from previous page...*

Members of the public with disabilities will be accommodated on site.  
Litter bins will be provided for all rubbish.

d) The prevention of public nuisance

Litter bins will be provided and regularly checked and emptied as necessary.  
Large commercial bins will be used for the containment of waste.  
Lighting will be installed with consideration of the local neighbourhood.  
Signs will be installed requesting patrons to be respectful of the neighbours as they leave the site.  
Public transport is available close to the Vineyard; both public bus and Althorne train station.

e) The protection of children from harm

Adoption of best practice and guidance.  
Proof of age to be shown, using photographic ID and a Challenge 25 policy has been adopted, with signs telling the public and aide memoirs for members of staff.  
Staff training has been put in place outlining how to deal with children.  
Children will be accompanied by guardians or parents, and the parents and guardians will be notified that they are responsible for their children at all times.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

*Continued from previous page...*

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 18 of 18

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises licence fees are based on the non-domestic rateable value of the whole premises. To find out the premises value go to <https://www.gov.uk/topic/local-government/business-rates>

If the capacity at any one time is less than 5,000 the fees are: Band A (No rateable value - £4,300) is £100, Band B (£4,301 - £33,000) is £190, Band C (£33,001 - £87,000) is £315, Band D (£87,001 - £125,000) is £450 \* however if the premises is exclusively or primarily used for the consumption of alcohol the fee is £900, Band E (£125,001 and over) is £635 \* however if the premises is exclusively or primarily used for the consumption of alcohol the fee is £1,905.

If the capacity at any one time is 5,000 or more there will be an additional fee as follows: Capacity 5,000 - 9,999 additional fee of £1,000, Capacity 10,000 - 14,999 additional fee of £2,000, Capacity 15,000 - 19,999 additional fee of £4,000, Capacity 20,000 - 29,999 additional fee of £8,000, Capacity 30,000 - 39,999 additional fee of £16,000, Capacity 40,000 - 49,999 additional fee of £24,000, Capacity 50,000 - 59,999 additional fee of £32,000, Capacity 60,000 - 69,999 additional fee of £40,000, Capacity 70,000 - 79,999 additional fee of £48,000, Capacity 80,000 - 89,999 additional fee of £56,000, Capacity 90,000 and over additional fee of £64,000.

\* Fee amount (£)

### DECLARATION

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

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Continued from previous page...

Once you're finished you need to do the following:

- 1. Save this form to your computer by clicking file/save as...
- 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/maldon/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="CRV 2021"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

# REP 1

17<sup>th</sup> February 2021

Dear Sirs,

Objection to Ref. 21/00025/LAPRE  
Applicant – Samantha Lonergan.  
Premises - Crouch ridge Vineyard, Althorne.

### **Public Nuisance.**

The extended opening hours of 1000 – 2300 hrs 7 everyday, will cause a nuisance to residents and wild life, and importantly will show disrespect to those laid to rest in the peaceful Green cemetery adjacent to the venue and to the relatives and friends who may wish to spend a quite time in the cemetery, especially when the Discos start.

This also applies to the War memorial, where people like to reflect.

### **Public safety.**

By having extra traffic pulling in and out of the vineyard during the day and late at night, exiting the junction from station road will become more dangerous, as traffic from the west is difficult to see due to the hill.

Burnham road is 40MPH but unfortunately not many drivers adhere to that especially at night.

## Rep 2

Attention of Licensing Authority by 18<sup>th</sup> Feb 2021

### Objection

Re the application for a variation to a premise licence – Samantha Lonergan Crouch Ridge Vineyards. Hall Farm Fambridge Rd Althorne CM3 6BZ.

As a local resident in Althorne for the past 30 years living opposite the vineyard I wish to object strongly to this application to extend the premises licence at the above site from 10 am to 11 pm on every day of the week.

This is a quiet residential area and these proposed changes would mean disturbances and noise for local residents. Both from this venue and cars and pedestrians leaving the venue till late into the night seven days a week

There is also the possibility of it encouraging antisocial behaviour and crime and our police services are already stretched to the limit in this area.

The pavements here are narrow and unlit putting pedestrians leaving the venue at risk at night especially if under the influence of alcohol.

The road despite its 40mph speed limit is a fast and dangerous road, especially at night and extending the licensing hours at this venue will only add to the serious risk of car accidents here.

Whilst I am aware that the licensing authority seemingly have no liaison with the planning department, this venue only has planning permission to be open 10 till 6pm.

Thank you for taking these points in to consideration.

## REP3

I would like to object strongly object to the above located at Althorne Hall Farm, Fambridge Road, Althorne basis the following.

1. The Fambridge Road has seen an inordinate amount of traffic increase over the past number of years, this has made it next to impossible to join the road safely by car. have a young family and it's a dangerous walk along the path to reach anywhere. I feel this will be more dangerous.
2. The increased noise due to the traffic and the business nature of Crouch Ridge Vineyard has resulted in difficulty in sleeping for me and also my young son (5 years old) I have installed TRIPLE glazing but that has had little effect. I fear this will get worse and make living close to this estate almost unbearable.
3. The recent development at Crouch Ridge is very close to a natural burial ground which also happens to be owned by Mrs Lonergan. I can only imagine if I were a grieving relative visiting a grave to have to witness what is now becoming a full time drinking establishment in full swing. I feel this is immoral.
4. The litter around Crouch Ridge Vineyard has become disgusting. In particular the area that the Lonergan's workers congregate (field close to Station Road) is often filled with bottles and cans, not only is this an eye sore it makes a dangerous environment in which to walk with young children. I feel this is disrespectful to the village and the local parishioners (the Lonergan's are not local and thus in my opinion have little interest or respect for the village and parishioners)
5. The Crouch Ridge Vineyard was originally approved as a visitor centre and wine tasting cellar, the initial application was for a bistro which was thankfully declined. I feel the family concerned are continually ignoring the original terms of the approval with every iteration of these continued applications for amendment. I feel this should be investigated further.

Once again thank you for being flexible with regards format of this objection and your understanding so close to the deadline.

Kind regards.

## Rep4

18<sup>th</sup> February 2021

**Subject – Application for variance to a premises Licence.**

**Crouch Ridge Vineyard, Althorne Hall, Fambridge Road, Althorne, Essex, CM3 6BZ.**

Dear Sir

I wish to object to the extension of the Licenced Hours for the following reasons.

**The prevention of crime and disorder.**

The extension from having alcohol available during daytime trading hours into the evening will change the whole pattern of alcohol consumption from the 'wine tasting with a view to purchase for consumption off the premise' towards social drinking in the visitor centre. This will result in more inebriated people on the roads in the village late in the evening, either driving away in vehicles or walking to the station, increasing the risk of vehicle related incidents or general rowdyism and antisocial behaviour.

**The prevention of public nuisance.**

The extension of licencing hours will extend the use of the Vineyard into the quieter evening period, increasing the effect on the surrounding neighbourhood from noise and lights from pedestrians and vehicles entering and leaving the site and increased lighting to enable patrons to enter and leave in safety. This will impact not only local residents, but also the wildlife in this rural area which people are trying to conserve.

**The protection of public safety.**

The entry/exit to the Vineyard site is from the B1010 Fambridge Road, which has a poor accident record, and currently has a 40 mph speed limit. Local residents have been campaigning for many years to have this reduced to 30mph with no success so far. The new entry to the Vineyard site was constructed without prior approval from the Highways Authority and as the only commercial establishment on this section of road will have far higher numbers of vehicles joining and leaving the road than from any of the other private dwellings.

If the hours of opening are extended into the hours of darkness this will be a very high risk to public safety.

The only footpath along Fambridge road is on the opposite side to the vineyard. The footpath is very narrow and you are 'taking your life in your hands' using it in the daylight hours due to the proximity of the passing vehicles and the speed that they are travelling. In the dark this risk would be multiplied by several times.

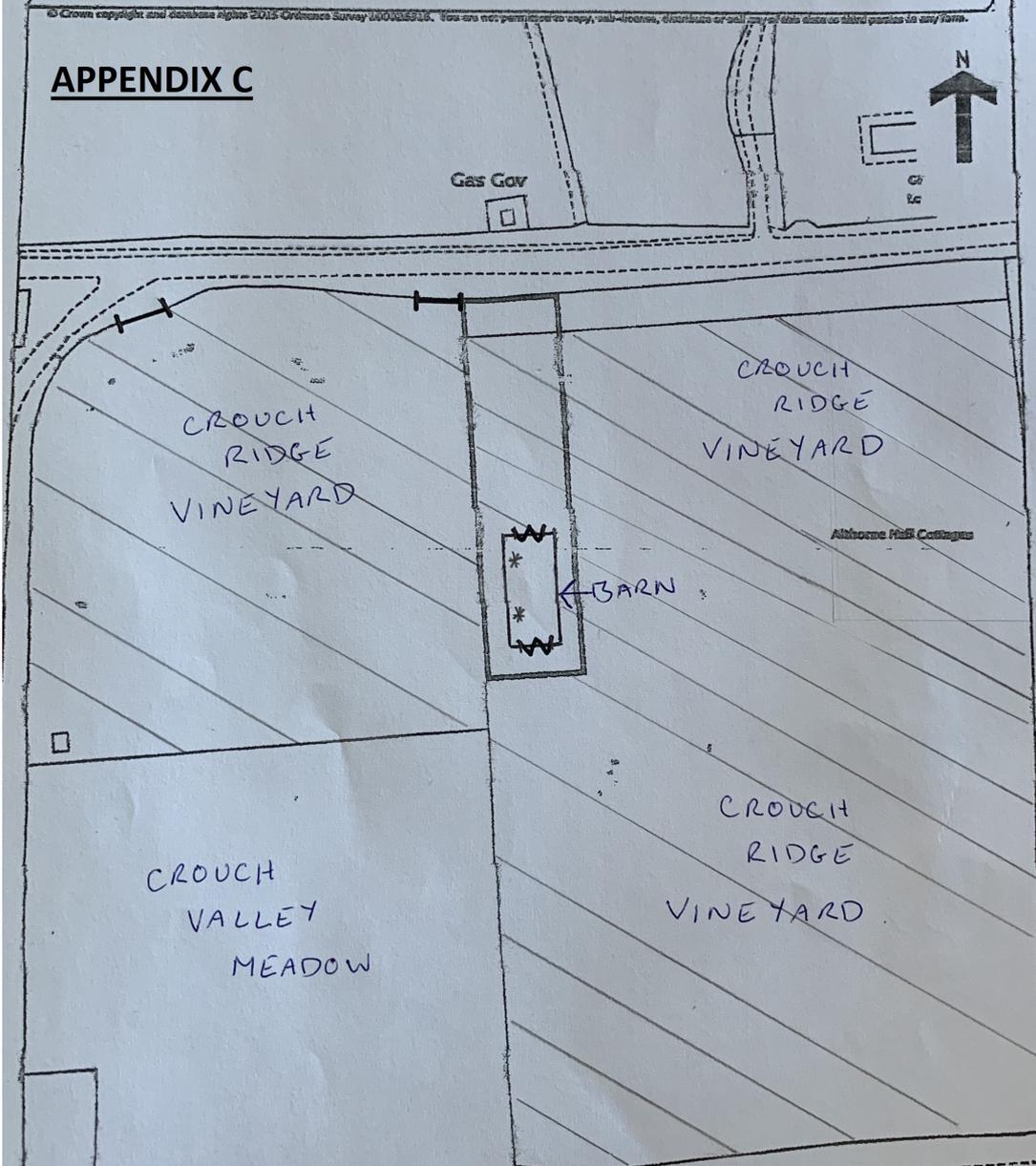
Please give due consideration to these grounds for **Refusal** of the extended Licence Hours

Yours Sincerely



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**APPENDIX C**



KEY

VINEYARD ENTRANCE

VINEYARD

DOORS

BARN

\* FIRE EXTINGUISHER

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Regulation 33, 34

## Premises Licence Maldon District Council

**Premises Licence Number**

19/00160/LAPRE

**Part 1 – Premises Details**

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

Crouch Ridge Vineyard  
 Althorne Hall  
 Fambridge Road  
 Althorne  
 Essex  
 CM3 6BZ

**Telephone number**

**Where the licence is time limited the dates N/A**

**Licensable activities authorised by the licence**

Sale or Supply of Alcohol

**Times the licence authorises the carrying out of licensable activities**

Sale or Supply of Alcohol      Every Day      10:00 - 18:00

**The opening hours of the premises**

Every Day      10:00 - 18:00

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

Both

**Part 2**

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

Crouch Ridge Vineyard, G Isles And Son  
 Orplands Farm  
 Bradwell On Sea  
 Nr Southminster  
 Essex  
 CM0 7HS

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

N/A

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

Samantha Lonergan  
 Kennel Barn  
 Maldon Road  
 Bradwell-On-Sea  
 Southminster  
 Essex  
 CM0 7HU

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

16/00129/LAPER Maldon DC

*Date... 13<sup>th</sup> June 2019*

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

.....  
*Maldon District Council Licensing Authority*

**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.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children 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.

In this section—

“children” means persons aged under 18; and  
 “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c. 39)

- 4 (1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must
  - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
- (2) But nothing in subsection (1) requires such a condition to be imposed—
  - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), or
  - (b) in respect of premises in relation to—
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

(3) For the purposes of this section—

- (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, [F2and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act)] and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

- 5
- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (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—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

- 7 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature..
- 8 The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
- (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 9 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) For the purposes of the condition set out in paragraph 1—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) “permitted price” is the price found by applying the formula—
- $$P = D + (D \times V)$$
- where—
- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4)(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the Operating Schedule**

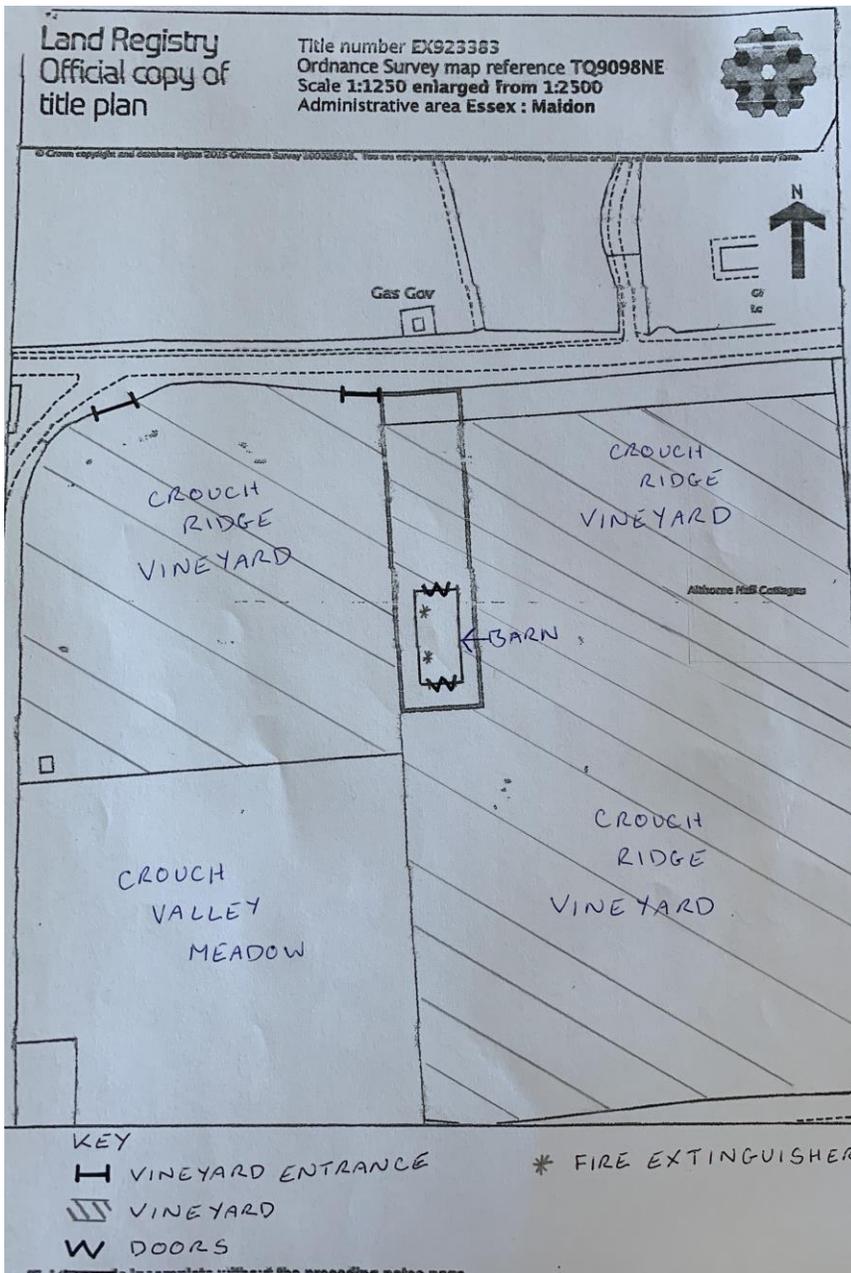
1. A mobile phone will be provided in good working order to the DPS, and will be carried with them at all times. If necessary they will call the police if they feel there is any disturbance, or if they feel there is a threat to public or staff.
2. Responsible and effective management of premises.
3. Premises is only open from 10.00 to 18:00 hours.
4. Alcohol will be refused to children under the age of 18 years old. Challenge 25 scheme. Proof of approved photographic ID will be required. Signs telling the public and aide memoirs for members of staff.
5. Bans will be issued to people who are a nuisance and will be notified to the relevant authorities.
6. Alcohol will be refused to people who are drunk on the premises or have been banned from other premises, that we have been notified about.
7. Training and supervision of staff will be organised and managed by the DPS.
8. Police will be notified immediately if there is a situation of disorder that is a threat to members of the public and/or staff.

9. In the event of the failure of the normal lighting, emergency lighting will be provided and members of the public and staff will be evacuated within the period of 20 minutes.
10. Fire Action notices will be placed in prominent places and protected from damage and deterioration for members of staff and public to notify the fire brigade and where to locate on the site for safety.
11. A fire log book will be kept in a secure place and will be updated as necessary, available to be shown to relevant authorities.
12. External lighting will be installed to help aid the public to access around the site.
13. Members of the public that are intoxicated will be refused alcohol and will be asked to leave the premises in a safe manner.
14. Members of the public that have been banned from other premises will also be banned from our premises as long as we have been notified.
15. Access areas for the emergency services will be kept clear at all times.
16. Staff will be trained to deal with the general public in the case of emergencies, and drills will be undertaken regularly.
17. Members of the public with disabilities will be accommodated on site.
18. The premises will only open until 18:00 hours, with no provision for live music or amplified music.
19. Litter bins will be provided and regularly checked and emptied as necessary.
20. Large commercial bin will be used for the containment of waste.
21. Lighting will be installed with consideration of the local neighbourhood.
22. Signs will be installed requesting patrons to be respectful of the neighbours as they leave the site.
23. Adoption of best practice and guidance.
24. Staff training will be put in place outlining how to deal with children.
25. Children will be accompanied by guardians or parents, and the parents and guardians will be notified that they will be responsible for their children at all times.

**Annex 3 – Conditions attached after a hearing by the licensing authority 13<sup>th</sup> June 2019**

Licence Granted as applied for.

Annex 4 – Plans





Regulation 33, 34

## Premises Licence Summary

### Maldon District Council

**Premises Licence Number**

19/00160/LAPRE

**Part 1 – Premises Details**

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

Crouch Ridge Vineyard  
 Althorne Hall  
 Fambridge Road  
 Althorne  
 Essex  
 CM3 6BZ

**Telephone number**

**Where the licence is time limited the dates**

**Licensable activities authorised by the licence**

Sale or Supply of Alcohol

**Times the licence authorises the carrying out of licensable activities**

Sale or Supply of Alcohol Every Day 10:00 - 18:00

**The opening hours of the premises**

Every Day 10:00 - 18:00

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

Both

**Name, (registered) address of holder of premises licence**

Crouch Ridge Vineyard, G Isles And Son  
 Orplands Farm  
 Bradwell On Sea  
 Nr Southminster  
 Essex  
 CM0 7HS

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

N/A

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Samantha Lonergan

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

Permitted

*Date... 13<sup>th</sup> June 2091*

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

.....  
*Maldon District Council Licensing Authority*