

APOLOGIES Committee Services
Email: Committee.clerk@maldon.gov.uk

DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE
Paul Dodson

30 July 2021

Dear Councillor

You are summoned to attend the meeting of the;

LICENSING SUB-COMMITTEE

on **MONDAY 9 AUGUST 2021 at 10.30 am**

in the **Council Chamber. Maldon District Council Offices, Princes Road, Maldon.**

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

Please Note that due to social distancing and space limitations, we require any members of the public or press who wish to attend physically and observe or speak under Public Participation rules at this meeting to complete [a request form](#) (to be submitted by 12noon on the working day before the Committee meeting). This will be reviewed and managed according to capacity of the meeting and whether any other persons have already registered.

The Committee meeting will still be live streamed via the [Council's YouTube channel](#) for ease of viewing.

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 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



Director of Strategy, Performance and Governance

COMMITTEE MEMBERSHIP:

COUNCILLORS

M F L Durham, CC
R H Siddall
Mrs J C Stilts
Mrs M E Thompson



MALDON DISTRICT COUNCIL
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.

Members of the Sub-Committee may ask questions to elicit information from any party at any time during the Hearing.

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.

1. The Chairman of the Hearing will 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.
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. Each Responsible Authority, the Licence Holder and/or Interested Party (or their spokesperson) then makes closing statements in turn.
8. The Applicant then makes a closing statement.
9. 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.
10. The meeting will close at this point.
11. 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).
12. The determination will be given within five working days (beginning with the day on which the hearing was held).

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



AGENDA
LICENSING SUB-COMMITTEE
MONDAY 9 AUGUST 2021

1. **To appoint a Chairman for hearing**
2. **Chairman's notices (please see below)**
3. **Apologies for Absence**
4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **Licensing Act 2003: Application for a New Premises Licence - Riverside Park, Station Road, Burnham-on-Crouch, Essex** (Pages 5 - 36)

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 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 the 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.

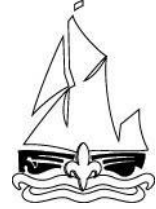
Health and Safety

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 Televisions (CCTV)

Meetings held in the Council Chamber are being monitored and recorded by CCTV.

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**REPORT of
DIRECTOR OF SERVICE DELIVERY**

**to
LICENSING SUB-COMMITTEE
9 AUGUST 2021**

**LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE – RIVERSIDE
PARK, STATION ROAD, BURNHAM-ON-CROUCH, ESSEX**

1. PURPOSE OF THE REPORT

- 1.1 To consider an application for a new premises licence, having regard to representations received and the requirement to promote the four licensing objectives:
- a) The prevention of crime and disorder;
 - b) Public safety;
 - c) The prevention of public nuisance;
 - d) The protection of children from harm.

2. RECOMMENDATION

That the Licensing Sub-Committee determines the application for a new Premises Licence at Riverside Park, Station Road, Burnham-on-Crouch, Essex taking into consideration the options that are available as detailed in section 4.1 below.

3. SUMMARY OF KEY ISSUES

- 3.1 Members are requested to consider an application by Bars 4 Events Ltd, made under Section 17 of the Licensing Act 2003, for a new premises licence, in respect of Riverside Park, Station Road, Burnham on Crouch. Having regard to the representations received and the requirement to promote the four licensing objectives, namely:
- a) The prevention of crime and disorder;
 - b) Public safety;
 - c) The prevention of public nuisance;
 - d) The protection of children from harm.
- 3.2 **Application**
- 3.2.1 The application for a Premises Licence was received on 18 June 2021 and correctly advertised by the placing of blue notices at the premises and publication in a local newspaper. The public notice was correctly displayed on the premises for a period of 28 days commencing the day after submission of the application.

- 3.2.2 The premises Licence application from Bars 4 Events Ltd applies for the following activities:

The Sale of Alcohol

Monday to Wednesday 11:00 till 21:30

Thursday to Sunday 11:00 till 22:00

- 3.2.3 The completed application form, together with a plan of the proposed premises, is attached as **APPENDIX A**.

3.3 Representations

- 3.3.1 In processing this application, the Licensing Department (in accordance with the Act) sent a copy of the full application to each of the Responsible Authorities:

- Essex Police;
- Essex County Fire and Rescue Service;
- Head of Planning Services;
- Principal Environmental Health Officer (Environmental Protection);
- Head of the Children's Safeguarding Service;
- Essex Trading Standards;
- Principal Environmental Health Officer (Commercial);
- Licensing Authority;
- Public Health Trust.

- 3.3.2 Responses to the consultation have been received from Essex Police, who agreed conditions with the applicant. A copy of the agreed conditions is attached as **APPENDIX B**. No other comments were received from any of the Responsible Authorities.

- 3.3.3 Five (5) representations have been received from members of the public. The representations are attached as **APPENDIX C** to this report.

4. CONCLUSION

- 4.1 Members are advised that they have the following options when determining this 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 The Committee is reminded that the application 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

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 Section 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: Lacey Latimer, Licensing Officer.

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MDC
Application for a premises licence
Licensing Act 2003

For help contact
contact@maldon.gov.uk
 Telephone: 01621 854 477

* required information

Section 1 of 21

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 | Not Currently In Use | This is the unique reference for this application generated by the system. |
| Your reference | Riverside Cafe Bar | 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? <input type="radio"/> Yes <input checked="" type="radio"/> No | | Put "no" if you are applying on your own behalf or on behalf of a business you own or work for. |

Applicant Details

| | |
|-----------------------|--------------------------------------------------------------------|
| * First name | |
| * Family name | |
| * E-mail | |
| Main telephone number | 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

Note: completing the Applicant Business section is optional in this form.

| | | |
|---------------------|-------------------------|-----------|
| Registration number | 05587251 | |
| Business name | Bars 4 Events Ltd | |
| VAT number | GB | 102074471 |
| Legal status | Private Limited Company | |

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

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

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 21****PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

☐ Address ☐ OS map reference ☒ Description
Address Description

Riverside Park, Burnham-on-Crouch CM0 8HS

The area between the picnic benches and the town with the House boats to the south

Further DetailsTelephone number Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Director of Bars 4 Events Ltd

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21**OPERATING SCHEDULE**

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

Mobile Cafe Bar, with tables in front for its customers, licensed for on sales in its designated area.
Also to be licensed for off sales with no provided area for consumption.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

 ☒ No
Section 14 of 21**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☐ Yes

 ☒ No
Section 15 of 21**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes

 ☐ No
Standard Days And Timings**MONDAY**Start End Start End

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

TUESDAYStart End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End

Continued from previous page...

SUNDAY

Start

End

Start

End

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.

We are proposing that we are open Thursday to Sunday during Term time and up to 7 days a week during School Holidays.

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

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

*Continued from previous page...***Enter the contact's address**

| | |
|-------------------------------------------|---------------------------------------------|
| Building number or name | <input type="text"/> |
| Street | <input type="text"/> |
| District | <input type="text"/> |
| City or town | <input type="text"/> |
| County or administrative area | <input type="text"/> |
| Postcode | <input type="text"/> |
| Country | <input type="text"/> |
| Personal Licence number (if known) | <input type="text" value="05/00162/LAPER"/> |
| Issuing licensing authority (if known) | <input type="text" value="Chelmsford"/> |

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21**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

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

NONE

Section 17 of 21**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings**

MONDAY

Start

End

Start

End

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

Continued from previous page...

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

State any seasonal variations

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

We are proposing that we are open Thursday to Sunday during Term time and up to 7 days a week during School Holidays.

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

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

Section 18 of 21

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)

Continued from previous page...

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

I will endeavor to ensure that at all times when the premises are for the licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. I shall ensure that all staff undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police.

c) Public safety

Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O and CO2), fire blanket, within our unit and that all appliances are inspected annually.
As all tables will be outside in open space, fire exits will not need to be marked.

d) The prevention of public nuisance

All customers will be asked to leave quietly.
Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.
All staff will be trained for UNDERAGE SALES PREVENTION regularly.
A register of refused sales shall be kept and maintained on the premises.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

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

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21**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 21 of 21

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 5000 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 £1905.

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.

There are exemptions from these fees for the following premises providing only regulated entertainment: Schools and colleges (provided the entertainment is carried on for and on behalf of the school or college), church halls, village halls, parish halls and community halls.

* Fee amount (£)

100.00

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

I/we understand that 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.

☒ 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

Continued from previous page...

* Capacity * Date / /
dd mm yyyy

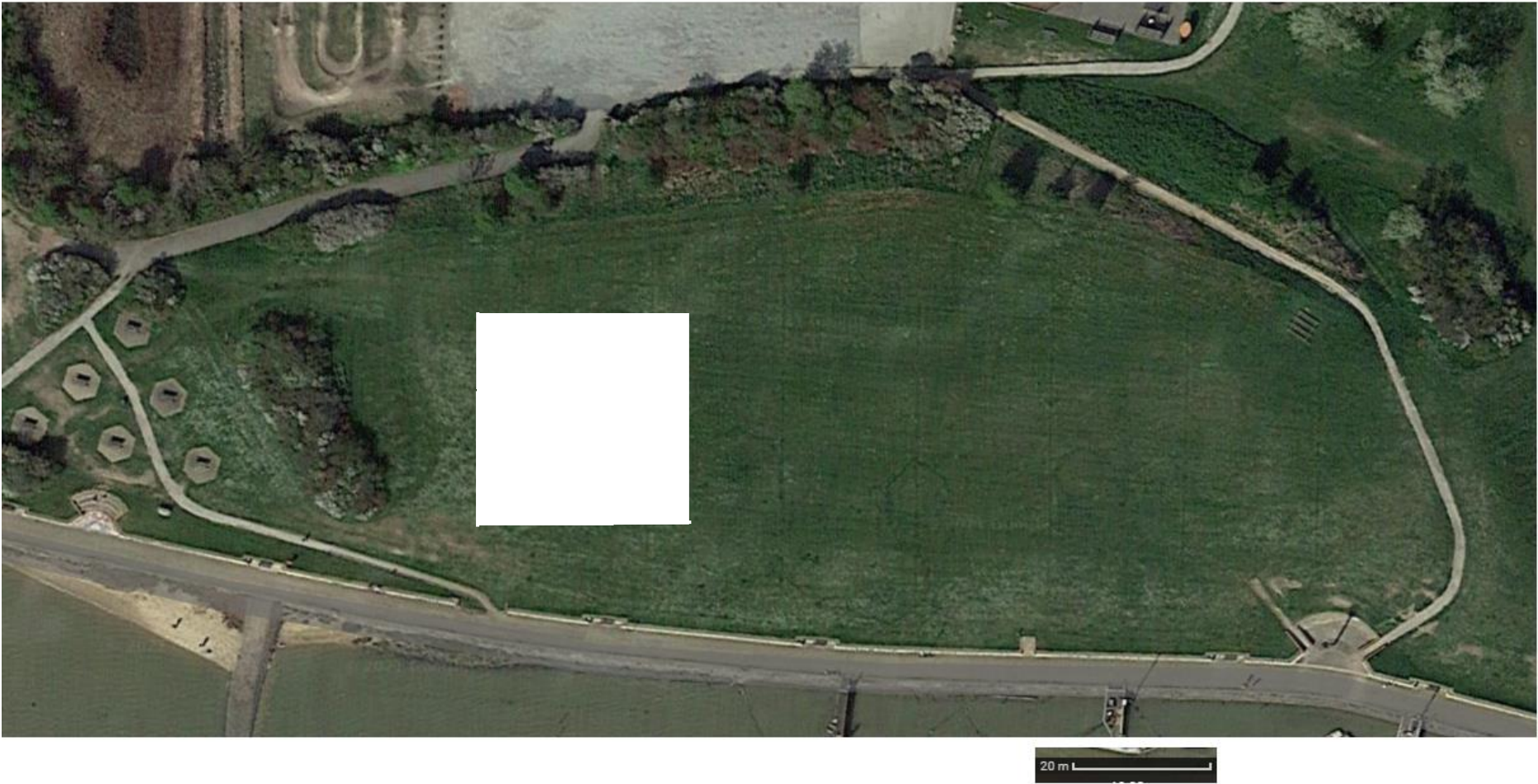
Once you're finished you need to do the following:

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/apply-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 LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**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****OFFICE USE ONLY**Applicant reference number Fee paid Payment provider reference ELMS Payment Reference Payment status Payment authorisation code Payment authorisation date Date and time submitted Approval deadline Error message Is Digitally signed ☐[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)



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Appendix B

1. No alcohol may be supplied by an individual unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder.
A written record of this consent must be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.
2. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:
 - Proof of age card bearing the PASS Hologram;
 - Photocard driving licence;
 - Passport; or
 - Ministry of Defence Identity Card.
3. The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force and be of minimum size of 200mm x 148mm.
4. Customers will not be permitted to remove from the premises any drinks supplied by the premises in open containers.
5. All spirit drinks will be stored in an area behind the serving counter in such a way as not to be available for self-service by customers.
6. In addition to water, other non-alcoholic beverages shall be available at all times whilst alcohol sale or supply takes place.
7. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable 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) {all seizures of drugs or offensive weapons}

The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least {12} months from the date of the last entry.

8. A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.

All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.

The refusals record shall be either electronic or maintained in a bound document and retained for at least {12} months from the date of the last entry.

9. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.

Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.

Appendix C

1. Thank you for the opportunity to comment on this application which I do from a position of experience having managed a Council owned Castle set in 14 acres of parkland surrounded by a residential area on three sides and the cliffs and sea on the other.

However, before I make my specific OBJECTIONS I would like to make some general observations:

The consultation ends on July 17 but the facility has already operated over the weekend. Has a licence already been granted? If so, was there a consultation of any kind? I hate to use the expression but is this 'a done deal'?

A public consultation following complaints about activity in Public Open Spaces in the Maldon District ended on 4th July with the purpose of: "...we are considering implementing a Public Space Protection Order (PSPO) to ensure that alcohol is consumed sensibly and to stop the use of psychoactive substances in these areas." Doesn't such a facility fly in the face of this and in any case shouldn't the consultation be discussed before such a licence is granted?

The 'public notices, it seems, were displayed in such a way, wrapped around lampposts that unless they were pointed out, they were not truly visible. Even trying to read them was very difficult and photographing for later reading needed two or three images per notice.

The stated benefits and reasons for this facility seem to be around stimulating local business and using local suppliers. Such a facility, in my opinion, will do nothing at this time to regenerate similar businesses in and around the town which, after the last year or so, maybe struggling. As for local suppliers, what is the definition of 'local' Money spent here will be diverted from the permanent businesses in the town

The application is not site specific and seems to be for a generic use of the park; does this mean it can set up anywhere should it be granted?

A facility, not selling alcohol and operating during normal trading maybe welcomed, or at least less objectionable, if it was purpose built and located near the car park, incorporating the toilet block

and was a permanent facility; however it may still affect local businesses which are unable to compete on equal terms and may still raise the same substantive objections.

Will any licence issued, with permissions to use the park from Maldon DC insist on specified trading hours irrespective of weather conditions?

If a licence was for events held in the Park then a specified number of occasions, say maximum of four weekends per annum, would be less objectionable.

SPECIFIC OBJECTIONS AND CONCERNS REGARDING THIS APPLICATION

1. Maldon District Council has articulated its own concerns over antisocial behaviour in the park and to this effect has undertaken a consultation to establish if it is a problem and were looking for suggestions to solve the problems. A bar in a family park operating until late evening would do little to alleviate these problems and has the potential to increase anti-social behaviour altering the pleasant non-commercialised, natural and pleasant family nature of the park.
2. Depending on its siting, it could cause annoyance to the residential areas around the park, particularly the boat-houses, as groups attend and leave the facility late at night, noise from activity and possibly loud music. Inevitably there would be a general littering both around the licensed facility and across the park where littering is already an issue.
3. Alcohol can fuel bad and inappropriate behaviour and this area, alongside the open river which is not well lit, is then likely to cause health and safety issues. The Park, generally, is a large unlit area with trip hazards potentially causing injuries. Toilet facilities may also be an issue and 'under-age' sales of alcohol into the evenings also a worry.
4. Assuming the bar becomes popular and depending on its location it could cause parking issues for the residents of the original Remembrance Avenue as this is double yellow lines; the sailing club which has a private car park and the area of Remembrance Avenue, where we live, marketed as Burnham Shores which currently is also a private road. There may also be issues on the residential areas on the north side of the park.
5. Servicing the facility, in the trial location, will involve vehicles, often heavy delivery vehicles driving through residential areas, either alongside the river which is inadvisable or over the park possibly churning it up in wet conditions. As the park is a facility where children play and dogs are exercised again this is not conducive to family use of the park. Aren't there already restrictions regarding vehicles in the park? Should this go ahead the specific site-location needs careful consideration and a thorough, published risk assessment is required.

6. There is no clear indication in the application where this facility will operate from and/or what form it will take - it seems a blanket-area licence – possibly for a tent, vehicle, both, tables across the park etc. The Children’s playgrounds around here could be spoilt by this type of activity. Also if the style is “white plastic chairs” – this is not conducive to the natural format of the area

7. Once an initial licence is granted drift is likely to occur from the stipulated conditions, resulting in further applications - permanent build, variations to hours etc which, once the precedent is set are more difficult to oppose. Again, should the licence be granted, very specific conditions should be attached.

8. There are plenty of drinking and eating establishments in Burnham in the Main Street through and town centre and fringes. A facility of this kind is likely to reduce the viability of these businesses leading to a declining town centre. There are also facilities at the Marina and at the west end of the park and along the sea wall which would be adversely affected. Especially as they sell ‘take-away’ for consumption in the park, often at the picnic tables. These other businesses operate rain or shine and are a reliable service. Will this proposed facility be a fair-weather facility offering no genuine service but more about profit, closing and opening randomly? Again, specific operating conditions should be written into any MDC contract issued to the operator should this go ahead.

9. To attract business, it is more than likely events would be held at the facility, (already suggested by the potential operator) increasing traffic, noise and possible ant-social behaviour, noise and resulting in more applications for variance.

10. We already experience noise and annoyance from groups of people acting under the influence (of goodness know what) who congregate on the seat near the houseboats and / or return along the sea wall late at night. This is likely to increase.

For the above stated reasons I OBJECT TO THE GRANT OF THIS LICENCE IN ITS CURRENT FORM

2. Concerns

1. The application has absolutely no detail except for opening hours.
2. No clear specific location to comment on.
3. The bar has opened before the consultation deadline date to submit the community views and concerns of the 17th of July.
4. No clarity as to what is the objective to install a bar in a family park.

Objections

1. MDC has expressed concerns on antisocial behaviour, this will not help the situation.
2. A bar with no facilities I presume are to use the park toilets which families and youngsters using in the park playground and sports fields. Health and safety.
3. The opening time is until 10.30pm some nights. Will there be extra teams to clean the toilets empty the bins. The rat population already increases when there is more food around. Another health and safety issue for small children.
4. Coming home to a house boat, across the park or even passing the park late in the evening I would be concerned for my families safety.
5. Business will be taken away from Burnham High Street. The bars, cafes, restaurants & shops that have already had a tough year we should be encouraging people to use these facilities.
6. Parking, already an issue.
7. The path along the quay has a big drop another health and safety issue if people are encouraged to drink more.
8. Extra costs to the council for policing, cleaning and maintaining the area.

I could understand if the bar is for a special event only, the beer and food festival, a music or show event during the school holidays.

Yours sincerely,

3. Application from: Bar4Events

Proposed premises:

Riverside Park,

Burnham on Crouch.

Consultation date 17th July 2021

Riverside Park is a good family

Outdoor facility to the Burnham on Crouch community and visitors.

The application for a licence to operate a bar during day and evening hours I note has already opened for business with out the community consultation. 17th July deadline.

My objections to the bar in a family park will result in antisocial behaviour, noise, parking of vehicles in surrounding residential areas. No toilet facilities late at night.

Our house is overlooking the river and there can be antisocial behaviour late at night.

This bar proposal would only encourage the situation.

Burnham town centre's existing business, restaurants, cafe pubs, bars and shops should be the main priority to encourage new and existing customers.

I cannot see this bar being of any benefit to our community.

Only in a managed event should it be considered.

4. Public nuisance

The service is sited too far from public toilets. I have already witnessed one person urinating in the bushes in the park and returning to their table.

The protection of children from harm

The benches provided for customers are situated away from the seawall giving no clear sight of the foreshore.

I have noticed that some parents sit at the benches and allow the children to play out of site and unsupervised at the water's edge.

I am concerned that this will result in potential injury or even drowning.

If the bar and seating were to be moved closer to the access road and public toilets the children would remain safe and visible.

Yours sincerely

5. I followed the suggested link to oppose the granting of this license is the link incorrect?

The notice very discreetly (I assume so nobody sees it and therefore no objections) taped to lamp post states that objection should be made in writing.

I strongly object a) because of noise b) because of the litter c) because of location - these are my main objections.

Furthermore, living adjacent to the park I see and hear what goes on - and whilst I do not want to start a public order complaint - attracting large groups of people to a country park and feeding them alcohol will lead to anti social behaviour, excessive noise and dangerous conduct.

Children play in that park do we really need to encourage drunks? As a woman I would not feel safe walking through a park full of intoxicated people. Then there is the issue of the teenagers who gather there - who is going to police these youths having access to alcohol?

A country park is not a place for a bar! Burnham has more than enough pubs, bars and coffee shops - in my opinion this is not a good move and is unfair on the people who live adjacent and the current users.

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