



Chelmsford City Council Licensing Committee

Date: 17th December 2024

LICENSING ACT 2003 – APPLICATION FOR A FULL VARIATION OF A PREMISES LICENCE: KINGS ARMS, 295 BROOMFIELD ROAD, CHELMSFORD, CM1 7AU.

Report by: Director of Public Places

Officer Contact:

Kate Kober, Licensing Officer, katherine.kober@chelmsford.gov.uk, 01245 606446

Purpose

The purpose of this report is for members to consider an application to vary the Premises Licence of the Kings Arms Public House, 295 Main Road, Broomfield, CM1 7AU. The application is made pursuant to section 34 of the Licensing Act 2003. for a 'full' variation of a premises licence, having regard to representations received and the requirement to promote the four licensing objectives. These are:

- a) The prevention of crime and disorder
- b) Public Safety
- c) The prevention of public nuisance
- d) The protection of children from harm

Recommendations

Members are advised that they have the following options when determining this application.

- Grant the application, on the terms and conditions applied for.
- Grant the application on the terms and conditions applied for, modified to such extent as considered appropriate to promote the licensing objectives.
- Refuse the application in whole or in part.

An appeal in respect of any determination made in connection with this application may be made to the Magistrates Court, within 21 days of the notification given by the licensing committee, by the licence holder, Chief officer of police, or any other person making relevant representation.

1. Background

- 1.1 The Kings Arms public house is situated along Broomfield Road and is surrounded by residential properties. Google maps images showing the location of the premises in satellite and road view are attached as **Appendix A**.
- 1.2 The licensing authority has checked for historical complaints against the premises and there have been none made to licensing since the new licence was granted 1st June 2024.

2. Application

- 2.1 The application has been properly given in accordance with The Licensing Act 2003 and all procedures correctly followed. The completed application form is attached as **Appendix B**.
- 2.2 The current premises licence is attached as **Appendix C**.
- 2.3 The current application was received on the 27th October 2024 and correctly advertised by placing blue public notices at the premises, publication in a local newspaper and on Chelmsford City Council's website.
- 2.4 The proposed changes to the Kings Arms existing premises licence are:
 - To allow the provisions for off sales
 - Provide late night refreshments.
 - To revise licensable hours and activities and provide seasonal adjustments
 - All licensable activities Mon-Sat from 09:00 until 01:00
 - All licensable activities every Sun 09:00 – 00:00

This proposed revision of hours of licensable activities would represent a change from the current licensable hours/activities which are:

Sale or supply of Alcohol Sunday 11:00 - 22:00

Sale or supply of Alcohol Monday - Saturday 11:00 - 23:00

Performance of Live Music Sunday 12:00 - 15:00

Performance of Live Music Thursday and Friday 19:00 - 23:00

Playing of Recorded Music Sunday 11:00 - 22:00

Playing of Recorded Music Monday - Saturday 11:00 - 23:00

Full details of the proposed changes are included in the application form at **Appendix B**.

- 2.5 The application included a proposed amendment to condition 4, however, this was an error, and the applicant has confirmed in writing via email that they wish to amend condition 3 and remove condition 4. This information was included in all public notices and advertisements and is attached as **Appendix D**.
- 2.6 The applicant has provided an operating schedule which promotes all four of the licensing objectives.
- 2.7 Members are asked to note that as this report is available in the public domain, personal details have been redacted from some documents. However, both the Authority and the applicant have received complete copies of all documents.

3. Representations

- 3.1 During the course of the application, Chelmsford City Council, in line with the Act, sent a copy of the application to all responsible authorities.
- 3.2 During the consultation period fifteen (15) representations were received from local residents and Broomfield Parish Council, objecting to the application. Three of these representations have been withdrawn. The remaining 12 representations are attached as **Appendix E**.
- 3.3 Essex Police have agreed conditions with the applicant which are attached as **Appendix F**. All those who made a representation were emailed the agreed conditions with Essex Police.

4. Conclusion

- 4.1 The application has been correctly submitted and complies with all statutory requirements under the Licensing Act 2003. The public notices were appropriately displayed, and the consultation period was duly observed.
- 4.2 The Council's Statement of Licensing Policy is a key consideration. Members should particularly note the following relevant sections:
 - Section 13: Outlining general principles for determining applications, which do not raise specific concerns for this case.
- 4.3 Members should also have regard to the Secretary of State's Guidance under Section 182 of the Licensing Act 2003, which provides advice on assessing the likely impact of granting a variation of a licence, having regard to the licensing objectives.
- 4.4 Representations received from residents and Broomfield Parish Council highlight concerns about noise, anti-social behaviour, and other disturbances. These are relevant as they relate to the promotion of the licensing objectives of preventing

public nuisance and preventing crime and disorder. While Essex Police have agreed additional conditions with the applicant to mitigate these risks, members should consider whether further conditions may be necessary.

4.5 Members are advised to carefully balance the representations made, the applicant's proposed measures, and the agreed conditions in reaching a decision that upholds the licensing objectives.

Appendices:

- Appendix A – Google Maps images
- Appendix B - Copy of the Premises Licence Application
- Appendix C – Existing premises licence
- Appendix D - email correspondence – application amendment
- Appendix E - Representations
- Appendix F - Essex Police agreed conditions

Background reading:

Application held by licensing authority

Corporate Implications

Legal/Constitutional: The application has been dealt with in compliance with the Licensing Act 2003 and The Licensing Act 2003 (Hearing Regulations) 2005.

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees:

As per required by legislation

Relevant Policies and Strategies:

Statement of licensing policy

Appendix A



Appendix A



Appendix B



Chelmsford City Council
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@chelmsford.gov.uk
Telephone: 01245 606727

* 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?

Yes 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

You must enter a valid e-mail address

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

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

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent 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:

An agent that is a business or organisation, including a sole trader

A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You 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.

To clarify the area in which activities are permitted. To enable the provision of off sales. Following refurbishment; to reduce the length of the internal bar and provide a small external bar for occasional use. To revise licensable hours and activities and provide seasonal adjustments. To add Late Night refreshments. To amend condition 4 with an alternative condition to cover the provision of off sales, taking account of any pavement licence.

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

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* 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" value="Essex"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

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	<input type="text" value="Kings Arms"/>
Street	<input type="text" value="295 Main Road"/>
District	<input type="text" value="Broomfield"/>
City or town	<input type="text" value="Chelmsford"/>
County or administrative area	<input type="text" value="Essex"/>
Postcode	<input type="text" value="CM1 7AU"/>
Country	<input type="text" value="United Kingdom"/>

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

live music both amplified and unamplified

State any seasonal variations for the performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

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

live music both amplified and unamplified. From the end of authorised hours on New years Eve until beginning of authorised hours on New Years Day.

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

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

Continued from previous page...

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

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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music.

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

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

From the end of authorised hours on New years Eve until the beginning of authorised hours on New Years Day.

Continued from previous page...

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

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

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

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

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 the premises will be used for the provision of late night refreshment 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.

provision of LNR from the end of authorised hours on New years Eve until the beginning of authorised hours on New Years Day.

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

Continued from previous page...

MONDAY

Start 09:00

End 01:00

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 09:00

End 01:00

Start

End

WEDNESDAY

Start 09:00

End 01:00

Start

End

THURSDAY

Start 09:00

End 01:00

Start

End

FRIDAY

Start 09:00

End 01:00

Start

End

SATURDAY

Start 09:00

End 01:00

Start

End

SUNDAY

Start 09:00

End 24:00

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.

Continued from previous page...

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.

provision of alcohol from the end of authorised hours on New years Eve until the beginning of authorised hours on New Years Day.

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.

No adult entertainment

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

Continued from previous page...

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.

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.

open during all times when licensable activities are authorised including seasonally adjusted hours

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

remove current condition 4 and replace with:
4. With the exception of customers using any authorised area under any Pavement Licence, customers will not be permitted to remove alcohol from the premises unless in a sealed container with suitable signage placed at the exits of the premises informing customers of this condition.

- I have enclosed the premises licence
- 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.

Unable to produce a copy of the premises licence (part A) as it is being displayed at the premises due to the fact that part B (the summary licence) has not been received from the licensing authority. Not to display a licence is an offence.

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.

Continued from previous page...

see existing conditions and the amended condition 4

b) The prevention of crime and disorder

see existing conditions and the amended condition 4

c) Public safety

see existing conditions and the amended condition 4

d) The prevention of public nuisance

see existing conditions and the amended condition 4

e) The protection of children from harm

see existing conditions and the amended condition 4

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.

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

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" value="United Kingdom"/>

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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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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.chelmsford.gov.uk/business/licensing/alcohol-licensing/premises-licence/apply-to-vary-a-premises-licence/> 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.

Licensing Act 2003

Schedule 12 - Part A

Premises Licence

Premises Licence Number

24/00267/LAPRE

Part 1 – Premises Details

Kings Arms 295 Main Road Broomfield Chelmsford CM1 7AU		
Telephone number		
Where the licence is time limited the dates are Not applicable		
Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities are		
Sale or supply of Alcohol	Sunday	11:00 - 22:00
Sale or supply of Alcohol	Monday - Saturday	11:00 - 23:00
Performance of Live Music	Sunday	12:00 - 15:00
Performance of Live Music	Thursday and Friday	19:00 - 23:00
Playing of Recorded Music	Sunday	11:00 - 22:00
Playing of Recorded Music	Monday - Saturday	11:00 - 23:00
The opening hours of the premises are		
Opening hours	Every Day	11:00 - 23:00
Where the licence authorises supplies of alcohol whether these are on and / or off supplies		
On Sales only		

APPENDIX C

Part 2

<p>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</p> <p>Funky Monks Events Limited Funky Monk Hotel 236 High Road Epping CM16 4AP</p>
<p>Registered number of holder, for example company number, charity number (where applicable)</p>
<p>Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</p> <p>Lauren Mason</p>
<p>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</p> <p>LN/000006028 – Epping Forest District Council</p>

Signed:


On behalf of the Licensing Authority

Dated: 1st June 2024

APPENDIX C

Annex I – 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).

APPENDIX C

(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,

APPENDIX C

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.

APPENDIX C

(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 or/and as agreed with responsible authorities

- I. The premises shall have installed and maintain a closed-circuit television surveillance (CCTV) system that at all times complies with the below requirements:
 - i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
 - ii. CCTV cameras shall cover all public areas including all entrances and exits and all areas where the sale of alcohol takes place.
 - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days.
 - iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request.
 - v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with
2. Signs must be displayed at all entrances and exits advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.
3. At all times no customers shall be permitted to take bottles, glasses or drinking vessels from the premises.
4. Conspicuous signage (of a minimum size of 200mm x 148 mm) shall be displayed, at each ingress/egress point explaining this policy.
5. 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:
 - o Biometric Home Office photo ID
 - o European National ID Card

APPENDIX C

- o Ministry of Defence Form 90 (Defence Identity Card)
- o Passport (UK or International)
- o Photo Driving Licence (UK or European)
- o Proof of Age Standards Scheme (PASS) card

Where Home Office approved (not yet approved) digital proof of identity assurance technology is in use, this condition applies only when confirming that a person is 18 years or older following a failure of that technology to do so.

6. 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.

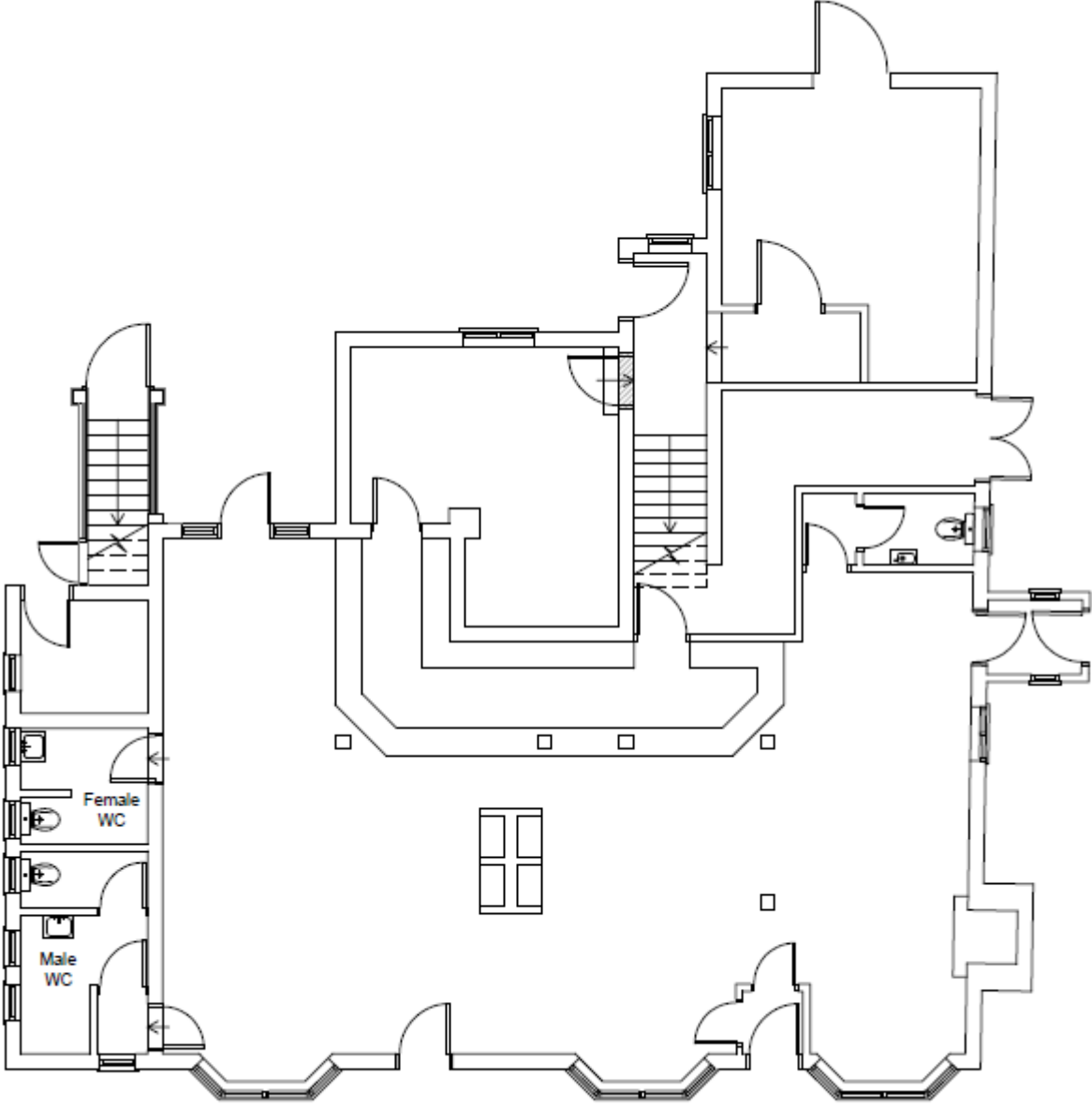
At the point of sale, such signs shall be a minimum size of 200mm x 148mm.

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

Not applicable

APPENDIX C

Annex 4 – Plans



Appendix D

Thanks kate

Yes that would be change condition 3 and remove condition 4. My error. Thanks for picking that up.

Kind regards

Nigel

On Mon, 28 Oct 2024, 10:53 Katherine KOBER,
<Katherine.KOBER@chelmsford.gov.uk> wrote:

Good morning Nigel.

Hope you are well.

Can you clarify the condition you would like to amend as the application states condition 4 to accommodate the provisions of off sales, however, condition 4 states **“Conspicuous signage (of a minimum size of 200mm x 148 mm) shall be displayed, at each ingress/egress point explaining this policy.”** Whereas condition 3 relates to **“ At all times no customers shall be permitted to take bottles, glasses or drinking vessels from the premises”**

Wanted to check with yourself before I send the consultation email out.

Kind regards

Kate Kober (MioL)

APPENDIX E

Representation 1

We wish to object to the licensing amendment submitted by Funky Monks Events Limited regarding the Kings Arms pub at 295 Main Road, Broomfield. We feel that the hours requested are totally unsuitable for the residential area in which the pub is situated. The houses are very close to the pub and even for those further away the noise from the pub travels. This is even worse in the summer when the outdoor area is in use. To have noise until 12.00 midnight or 1.00 pm is quite unacceptable. Please acknowledge this complaint

Representation 2

we have been told by a neighbour that the kings arms Broomfield is applying for a late licence to open until 1am from 9am. How do we register an objection to this application based on noise and parking in a residential area. Our neighbour is also suffers from the noise generated by 5 outside speakers for their tvs (they have lived here for 50 years so are well used to 'normal' pub noise). Is there any avenue for them to explore limiting this noise?.

We are very keen to have a local pub but not a local night club - i.e. one more suited to a high street,

Representation 3

In reply to the application from the kings arms, Broomfield.

Whilst the re opening of this pub is very welcome, I have dined there numerous times recently, I must strongly object to the granting of a full time music licence on the grounds that the pub is so close to local housing that music until the stated hours will be very disruptive to many household. We can already hear noise from this establishment and their outside facility would be much louder with music. Please acknowledge receipt of this E mail and contact me further if nec.

Representation 4

In addition, the Parish Council met last night and have agreed the following representations against the request for variations to the licence for the Kings Arms

Public nuisance – parking for the venue is severely limited and increasing opening hours will lead to greater pressure on parking. The Parish Council are currently looking into how to provide greater enforcement against the vehicles, believed to be driven by users of the Kings Arms that are already parking on the grass areas of Church Green in contravention of the double yellow lines and causing damage to the grass and inconvenience to residents on The Green trying to park at their home address.

The extension of hours for music will have a significant impact upon the many residents in the immediate vicinity of the premises, who will be unable to avoid the noise coming from within the premises.

The extension of opening hours will mean that persons leaving the premises at 1 am in the morning, unless they have driven to the premises, will not be able to find any available public transport, as busses will have stopped and there are no taxi offices in the area, potentially resulting in loitering in the area with the potential for further noise and nuisance to residents.

I have been asked to confirm that the Licensing Committee meeting that will hear the request for a variation, is open to the public.....

APPENDIX E

Representation 5

I am a resident of Church Green, Broomfield, emailing in respect to the application to vary an existing premises licence that has been made by Kings Arms (Address: Kings Arms PH, 295 Main Road, Broomfield, Chelmsford, CM1 7AU). Please note that my email is for the purpose of making representations against the amended licence which Kings Arms has proposed.

Please see my comments regarding the amended licence which have been proposed are below:

1. I welcome the re-opening of Kings Arms and have been glad to see the business update its business model over the last couple of months. The current business model operating today enables the business to reflect that of a more traditional village pub. This compliments the setting of Church Green, something which in my opinion is very important for a business trading out of a Grade II listed building which is located within a recognised Chelmsford City Council conservation area area.

Broomfield is a quiet part of Chelmsford, with the Church Green area in particular being extremely quiet and peaceful. In my opinion, enabling the business to continue trading, and play live and recorded music until 1:00am (12:00am on Sundays) will essentially transform what is a traditional village pub into a nightclub which would not be suitable for the area that Kings Arms is located.

2. Following the above, despite being pleased that Kings Arms has re-opened, I have previously found myself waiting for 11:00pm to come due to loud music that has been played in the pub travelling across the Green and into my home. I note this has been after the re-opening of the pub whilst it was trading through the current owners. This disturbance was bearable as I knew it would be turned off at 11:00pm. The proposed amendments which would enable music to be played until 1:00am, paired with the later dispersal of customers, is concerning and is something which in my opinion would have a large negative impact to those living in the vicinity of the business, and would not be suitable for the local area.

3. I understand that the licence will also enable live and recorded music to be played outside. My understanding of the noise coming from the pub that has previously disturbed me in my home, is that this came from inside the pub and not from an external speaker system. Therefore, the entitlement to play live and record music outside until 1:00am is another concern, particularly in the summer months. Again I do not think it would be appropriate or suitable for a business trading next to a tranquil area such as Church Green to play music outside until 1:00am.

APPENDIX E

Representation 6

With regard to the [application by the Kings Arms Public House](#) to vary their licence I would respectfully ask you to consider the following points:

1. The Kings Arms is located in a residential village community (part of a Conservation area), not in the city centre or a retail park. The application to extend its operating hours, play music, and off-sales must be considered in this context. Extending their hours till 0100 in the morning together with the addition of music, an outside bar, and off-licence sales will significantly change the character of what is currently a much loved establishment.

2. The proposed changes are clearly designed to promote the sales of alcohol outside "normal" hours for a village setting. When combined with the promotion of outdoor drinking both on and off premises (by music and TV till the early hours), the result will inevitably be alcohol fuelled anti-social behaviour. If the Kings Arms were, for example, a coffee or vape bar we would have no concerns regarding anti-social behaviours resulting from an extended opening times, but the pubs' goal is alcohol sales, and there is a strong correlation between binge drinking into the early hours and anti-social behaviour. These behaviours would directly undermine three of the four licencing objectives, namely:

- the prevention of crime and disorder
- public safety
- prevention of public nuisance

3. Additionally, the fourth of the licencing objectives (protecting children from harm) may also be scope as Church Green is widely used by children to access local schools and there is a potential for harmful litter such as broken bottles that might arise from off premises sales.

I like the Kings Arms, historic village pubs provide a valuable social function, and the owners have done a brilliant job on the refurbishment. But the owners should recognise that what they have is a valuable village pub and operate it with due consideration to the local community. If they want licensing terms akin to a nightclub or festival it is reasonable to ask that seek premises in an appropriate location, and not in a residential village.

Representation 7

I am writing regarding the application for music to be played until 1.00am.

We as residents are extremely worried about this.

This is a residential area and the noise would be completely unacceptable.

We already have an on going issue with cars parked all over the double yellow lines making for dangerous situations when entering or exiting Church Green from or onto Main Road Broomfield.

The atrocious parking on Church Green is made much much worse by the irresponsible and dangerous parking by the boxing club users.

I would be very grateful if you would give this matter your urgent attention.

APPENDIX E

Representation 8

I understand that the Kings Arm pub/restaurant is applying to extend their opening times. I do not have concerns about opening earlier but I do have concerns about extending opening until 1am. My reason for this is it would likely cause a public nuisance.

The Kings Arms is situated in a residential area and is adjacent to houses. Their car park is adjacent to numerous gardens and having people accessing their cars and leaving the car park in the early hours of the morning will cause disturbance to the local residents.

Also if music is continued past 10.30pm this would create a nuisance issue.

On the positive side we are grateful that the company have restored the pub and opened it as a village facility and are keen to support village activities

Representation 9

The King's Arms Public House, 295 Main Road, Broomfield, Chelmsford CM1 7AU

Variation of Premises Licence

I would like to raise my concerns about the variation of the licence proposed to the King's Arms Public House and to strongly oppose the variation.

The public house is situated on Main Road in Broomfield and is surrounded by residential properties. If the variation is granted, then all the residents will be greatly affected by the lateness of trading and the proposed lateness of live music which would take place.

The King's Arms already has adequate opening times and does not warrant the extended hours of trading. The King's Arms has a large outdoor space, with a very large screen to televise events. There is also an outdoor servery. Extended operating hours would increase the noise for local residents to an unacceptable level and lateness. There is a small car park but residents will not want to hear the noise of the pub customers leaving in the very early hours of the morning nor taxis pulling up very late at night.

If the King's Arms is granted this extension to make their business viable, then it can be assumed that they expect to sell a significant amount of alcohol during these extra hours which will only exacerbate the disturbance to local residents.

The Public Notice to explain the proposed variation was not put in a prominent place (which would have been by the main entrance, next to Main Road) but on a side window where it would not necessarily be seen by local residents. Hence the lateness of my email raising objections to the variation.

The King's Arms is a public house set in a residential area and is not a wine bar nor a club and it is not a music venue. Granting this application would result in damage to the lives of local residents and I urge you not to accept this application.

APPENDIX E

Representation 10

We are writing to inform you of our concerns in relation to the following application to the Licensing department:

Kings Arms PH, 295 Main Road, Broomfield, Chelmsford CM1 7AU

We have lived in our house since 2012 so moved in knowing that we live almost opposite a pub. We fully accept that this will involve people entering and exiting the premises and we also fully accept that a certain amount a noise is expected. We would also like to be clear that are supportive of the improvements to the Kings Arms; it looks very appealing, and the current offerings of the pub are commendable.

In 2015, we suffered greatly when the landlord of the Kings Arms introduced live bands and live music. Initially, we tried to communicate with the landlord, asking him to close the doors and windows to reduce the amount of noise. We also asked if the music could stop at 11pm rather than in the early hours of the morning, and ideally take place at weekends only. Our attempts to discuss this with him were ignored so we had no choice but to contact the noise nuisance team at Chelmsford Council, who we called out for home visits on several occasions. We are sure that your records will provide further details of this if required. We felt that we could tolerate the noise until 11pm, but beyond this time, it was impacting on our sleep and ability to work the next day. We both work in schools, so our days start very early and the stress caused by the noise and lack of sleep was starting to impact on our working lives. We were grateful to the council for allowing us to attend the licensing committee meeting and to share our views and for being so understanding of the nuisance, upset and stress this was causing us.

Moving forward to the current application, we are concerned that the events of 2015 will repeat themselves, but on an even bigger scale as the current application is to provide live and recorded music until 1am on Monday to Saturday and 12 midnight on a Sunday. This is an escalation of the situation in 2015. The pub is not designed to be soundproof, or even to reduce noise emissions, as it is an old building which, understandably, means that making it soundproof would take away from its character and charm. Equally, in the summer, it is inevitable that the doors and windows will need to be open to manage the temperature, so again, the noise will travel further. We therefore have grave concerns about the return to the live and recorded music, seemingly on a daily basis and until 1am. It was stressful and impacting on our health when we had to deal with this previously and I feel strongly that this will become a public nuisance once again due to the frequency and the timings.

The Kings Arms is surrounded by houses, in Broomfield. I do not feel it is appropriate to have a music venue open until 1am in a residential area where families are trying to sleep in readiness to work.

Whilst I could perhaps concede that this could be permissible on Friday and Saturday evenings only, I think it's also worth noting that due to the proximity to the hospital, some residents work shifts so may not have the benefit of not working at weekends.

In conclusion, I wish to be clear that we fully support the Kings Arms and what they offer currently. However, we object to the provision of live and recorded music beyond 11pm, except for seasonal adjustments due to New Years Eve

Appendix E

13/11/2024

Dear Kathleen

We wrote to you as regards the Kings Arms pub main Road Broomfield and told you how horrified we are that they want to stay open until one am we said that will mean that we will not be able to get any sleep all night.

At the moment we are able to go to bed at 11 o'clock after they have shut.

But that will be impossible if they stay open after 11 o'clock because of the noise in the beer of all the people out there talking and the music and televisions which they have 3 of and 5 speakers which the sound comes out of also there will be the sound

Appendix E

of car doors shutting and driving away
All this we can hear in our bedroom
so that's why sleep will be impossible.
As we said in our letter we are both
elderly and this will cause us a lot
of worry and stress and we are terrified
of what the stress and worry will have
on our health. I have arthritis and
diabetes and my wife has had cancer
twice.

We are very very worried

Appendix E.

Licensing Section
Chelmsford City Council
Duke Street
Chelmsford
Essex
CM1 1JE

Dear Sir,

Re: Kings Arms, Broomfield, CM1 7AU

We write in relation to the application by Funky Monk Events Limited to vary the terms of the Premises Licence for the Kings Arms, Broomfield, CM1 7AU.

We recognise that the current owners have made a significant investment in the premises and have to date conducted their business in a responsible way with consideration for their neighbours and the community. This is a significant improvement to the way the premises were managed when open previously and we are pleased to see the pub in operation.

We have spoken to the current owners and have been assured that the intention of this application is for occasional late opening for pre booked private events, which does sound reasonable, especially if we could be notified in advance, but note our comments below regarding the use of the garden.

However, we also know that the hospitality sector is volatile with frequent staffing changes and fear that a new manager might not be so considerate. It is for this reason that we object to the application for the blanket extension of the licence.

We object to this application principally on the grounds of:

- a) preventing public nuisance, mainly the noise and inconvenience to the neighbouring properties, especially the noise of departing clientele and their transport but also the use of the outside area

but with a secondary concern for the other licensing objectives:

- b) public safety, the impact of careless and antisocial parking creating a danger, for example on the turning from Main Road, and
- c) protection of children from harm, late nights will affect children's sleep and interfere with their schooling.

There have been significant modifications to the Listed Building and its car park/garden. The changes to the garden and the provision of televisions and an outside bar are an issue for neighbours.

We consider that for a village pub, located in close proximity to a number of residential properties, and within a Conservation Area, being open until 1 am, six days per week, is simply too late. The following sets out our specific concerns and reasons for saying this in more detail:

Appendix E

- a) The pub has insufficient (and now reduced) car parking space, so patrons currently also park in the Church Green area, some of them in an illegal and antisocial way, creating a danger and affecting the ability of residents to access their properties. [This is also true of the patrons of other local businesses, but not late at night.] The noise created by patrons arriving or leaving, even those actually parked in the car park itself, late at night will be seriously disruptive to people living in the vicinity and will impact their ability to sleep. This will affect adults going to work and children going to school.
- b) As part of the refurbishment the garden area has been extended into what was the car park and an outdoor bar has been built, and from the application it can be seen that there is an intention to provide a 'winter garden' by means of an awning and outdoor heating. Leaving aside the environmental considerations of heating an outdoor space, this has the effect that patrons will be using the outdoor area for drinking, eating and music or sports entertainment in full view and earshot of the Church Green conservation area and will create a noise nuisance for the surrounding area and particularly for the adjacent neighbours.

Three outdoor television sets and outdoor speakers have already been installed and these, together with the noise of, for example, sports fans watching a football match, are already disruptive to nearby neighbours.

The prospect that this outdoor area could be in use until 1 am, six days per week and until midnight on a Sunday, is totally unacceptable because of the noise impact on residents. In our view the garden should be closed no later than 10.00 pm to allow local residents to get to sleep. This was a condition applied to the licence held by the previous tenants.

- c) The premises have a regular commercial waste collection on a Tuesday morning before 6 a.m. The noise of the lorry being reversed followed by bottles being emptied into the truck is impossible to sleep through. If the premises were open until 1 am of the same morning, then this leaves less than five hours of undisturbed sleep for local residents.
- d) The current owners have installed high level, high intensity, flood lights on the two rear-facing gable ends of the building which, when switched on, flood the whole Church Green area with an intense light which shines directly into the bedrooms of facing properties. The owners have been quite considerate thus far in ensuring that these lights are turned off around 10 pm, although they have on occasion been left on all night, but if the premises are licenced until 1 am there is no guarantee that this will continue. As an absolute minimum these light units should be replaced with ones that do not cause such extreme light pollution.
- e) The musical entertainment so far has been very low key, just a single singer using a backing track, with little noise heard outside the premises. However, we know from previous experience that the building has little sound insulation so that a band using amplified guitars and drums etc. will be heard inside neighbouring properties. Also, musicians leaving the premises could be loading equipment after the licence closing time. For these reasons we think that previous restriction on the premises should apply going forward. We propose:

Appendix E

- a. No music after 11pm at weekends and 10 pm on weekdays.
- b. Doors and windows to be kept shut during live music.
- c. No music, either live or recorded, outside after 10 pm.
- d. A strict and measurable limit on the noise level that can generated by music on the premises.

We certainly consider that allowing music until 1 a.m. is totally inappropriate for premises in this location.

- f) We cannot believe that there is a significant demand for late night food offerings in the village and, if there was, people arriving for such late meals would be very disruptive to the area.

In discussion with the owners it seems that this application is intended to allow them to offer a late service for specific events, rather than every day. This is itself problematic for residents because they will be living with uncertainty as to when they are going to be disturbed. However, if the licence extension was:

- a) occasional only, and
- b) subject to notice being given, and
- c) linked to an early closure of the garden, and
- d) the business would commit to providing an outdoor warden to reduce the noise of patrons leaving

then this might be the basis for a suitable compromise that enabled the business to prosper whilst being fair to the neighbours.

We understand that it is hard for a hospitality business to prosper in the current economic climate, and we wish the owners well in building their business, and we have supported it ourselves, but we would like the council to either reject their Licence Amendment application altogether or to allow it only with the very specific restrictions we propose above.

Appendix F

Hi Gary

I have managed to take instructions from the applicant and would hope that the following response to your concerns is acceptable?

1 – This issue was picked up by officers for the licensing authority and amended on the day of submission, allowing for the public notice and the newspaper public notice to be amended appropriately. This may not have been communicated with you. As you have also correctly identified, it is condition 3 to be amended and condition 4 to be removed.

We propose that condition 3 be amended to read, “With the exception of customers using any authorised area under any Pavement Licence, customers will not be permitted to remove alcohol from the premises unless in a sealed container, with suitable signage placed at the exits of the premises informing customers of this condition”

... and condition 4 removed.

I believe this would meet with your recommendation

2 – New year’s eve/day hours; Our application reflects the large number of ‘grandfathered licences’ that have just such wording in respect of their seasonally adjusted hours. Presumably these haven’t come to your attention as causing an issue. Therefore, the reality of customers drinking for that many hours or staff working that many hours may not result in what you might consider to undermine the crime objective. This application was more about flexibility.

However, with the intention of being ‘good neighbours’, we are prepared to accept your suggestion of the New Years Eve hours terminating at 02:00hrs

3 – We have had no representations from Environmental Health Officers. The use of the outside bar will be very seasonal and is in fact very small. In effect this makes up for the loss of the length of the bar internally and will help reduce overcrowding, mainly during the summer months. In doing so this is hoped to relieve any tensions

Appendix F

in being served, although the external bar will hold more limited stock. This is an already established secure brick-built structure.

However, you clearly have some concern, and we feel that the best control we can offer in providing an outside bar would be to replace condition 4 with:

‘The external bar will close for the sale of alcohol every evening at 23:00hrs’

Environmental health usually concerns itself with noise after 23:00hrs and therefore we would consider this proposed condition as being reasonable within the same spirit of being ‘good neighbours.

Our premises are situated in an area just as residential as The Angel PH, which is only about 200 metres from our venue and has a terminal hour of 1am in respect of each authorised activity, a much larger outside seating area and with few conditions. We are not aware of any nighttime economy crime, disorder or public nuisance resulting from that business and would expect much the same at our own. However, we are prepared to consider any reasonable suggestions you may request by way of further conditions.

Please do not hesitate to contact me again if you have any further observations and thank you for your feedback.

Kind regards

Nigel Dermott

On Wed, 20 Nov 2024 at 14:12, Licensing Chelmsford and Maldon <licensing.chelmsford.and.maldon@essex.police.uk> wrote:

Good afternoon Nigel,

I hope you are well.

With regards to the variation application for King’s Arms, Broomfield, I have a few concerns/questions;

Appendix F

1 – You wish to replace condition 4 with the wording provided on the application, however I feel amending condition 3 to add in ‘With the exception of customers using any authorised area under a pavement licence’ in place of ‘At all times’ at the beginning of the current wording would be more appropriate.

2 – New year’s eve/day hours. If I am understanding the proposed change correctly, this would mean licensable activities would be able to continue right through from one day into the next, with the potential for customers to continue purchasing alcohol for 40 uninterrupted hours? I feel this would be excessive and greatly increases the risk of undermining the crime and disorder objective. An additional hour (taking licensable activities to 0200) would be more acceptable and more in line with what would be expected of a premises of this nature.

3 – Perhaps more of a noise/environmental health concern, but how often will the outside bar be used and what additional controls will be in place during these times? Including an outside area in the licensed area on a plan is normally a cause for concern, especially when the premises is in a residential area. As you are aware, strong controls would need to be put in place to avoid a future public nuisance related review.

I look forward to hearing from you

Thank you

Gary Burke

Senior Licensing Officer

Alcohol Licensing Team

Essex Police