



Chelmsford City Council Licensing Committee

Date: 22nd November 2024

LICENSING ACT 2003 – APPLICATION FOR A FULL VARIATION OF A PREMISES LICENCE: THE STAR AND GARTER, 159 MOULSHAM STREET, CHELMSFORD, CM2 0LD

Report by: Director of Public Places

Officer Contact:

Simon Parnham, Licensing Officer, Simon.Parnham@chelmsford.gov.uk, 01245 606727

Purpose

The purpose of this report is for members to consider a Premises Licence Application given by The Star and Garter, made under section 34 of the licensing act 2003, for a Full Variation of a premise licence in respect of 159 MOULSHAM STREET, CHELMSFORD, CM2 0LD having regard to the 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 Star and Garter is located on Moulsham Street and is near to residential properties. A map of the area is attached as **Appendix A**.

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 and a copy of their current licence, Part B, is attached as **Appendix B**.
- 2.2 The application form for the premises licence was received on the 2nd of October 2024, and correctly advertised by placing blue public notices at the premises and by publication in a local paper and on Chelmsford City Council's website.
- 2.3 There are substantial changes proposed to the current premise licence. Currently, the existing licence permits the sale of alcohol from 11am until midnight every day with opening hours of 11am to 1am on Friday to Sunday, and 11am to Midnight on Monday to Thursday. The application seeks to vary the sales of alcohol from Midnight to 02:00 on Friday and Saturdays, and until Midnight every other day. Regulated entertainment activities are sought from 23:00 – 02:00 on Fridays and Saturdays, until Midnight on Thursdays and 11:00 – 23:00 on Sundays to Wednesdays. These activities include Live and recorded music, performance of dance and the provisions of plays. Late night refreshment is also being applied for from 11pm until Midnight on Sunday to Thursday, and from 11pm to 2am on Fridays and Saturdays. Opening hours have been applied for until 1am on Thursday, until 3am on Friday and Saturday and until Midnight on Sundays to Wednesdays. The application form is attached as **Appendix B**.
- 2.4 Schedule 1 of the Licensing Act 2003 permits the use of regulated entertainment from 08:00- 23:00 on any licenced premise (for the sale of alcohol and (where the audience does not exceed 499) unless removed or cut back under a review of the premises licence.
- 2.5 Kirsty Hebden-Lambird is the current designated premises supervisor having obtained a personal licence from Chelmsford City Council.
- 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 five representations were received from members of the public, objecting to the application. A copy of these objections is attached as **Appendix C**.
- 3.3 During the consultation period the applicant agreed conditions with Essex Police, please see attached as **Appendix D**

4. Conclusion

- 4.1 The Statement of Licensing Policy is brought to the attention of members and are as follows:
- Section 13. Nothing in the section affects this application.
- 4.2 This application has been correctly submitted.
- 4.3 At the conclusion of this hearing members are advised to consider the options as previously recommended at the start of this report.

Appendices:

- Appendix A – Map
- Appendix B - Premises Licence Application and copy of the current licence
- Appendix C – Representations
- Appendix D – Conditions agreed with Essex Police

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

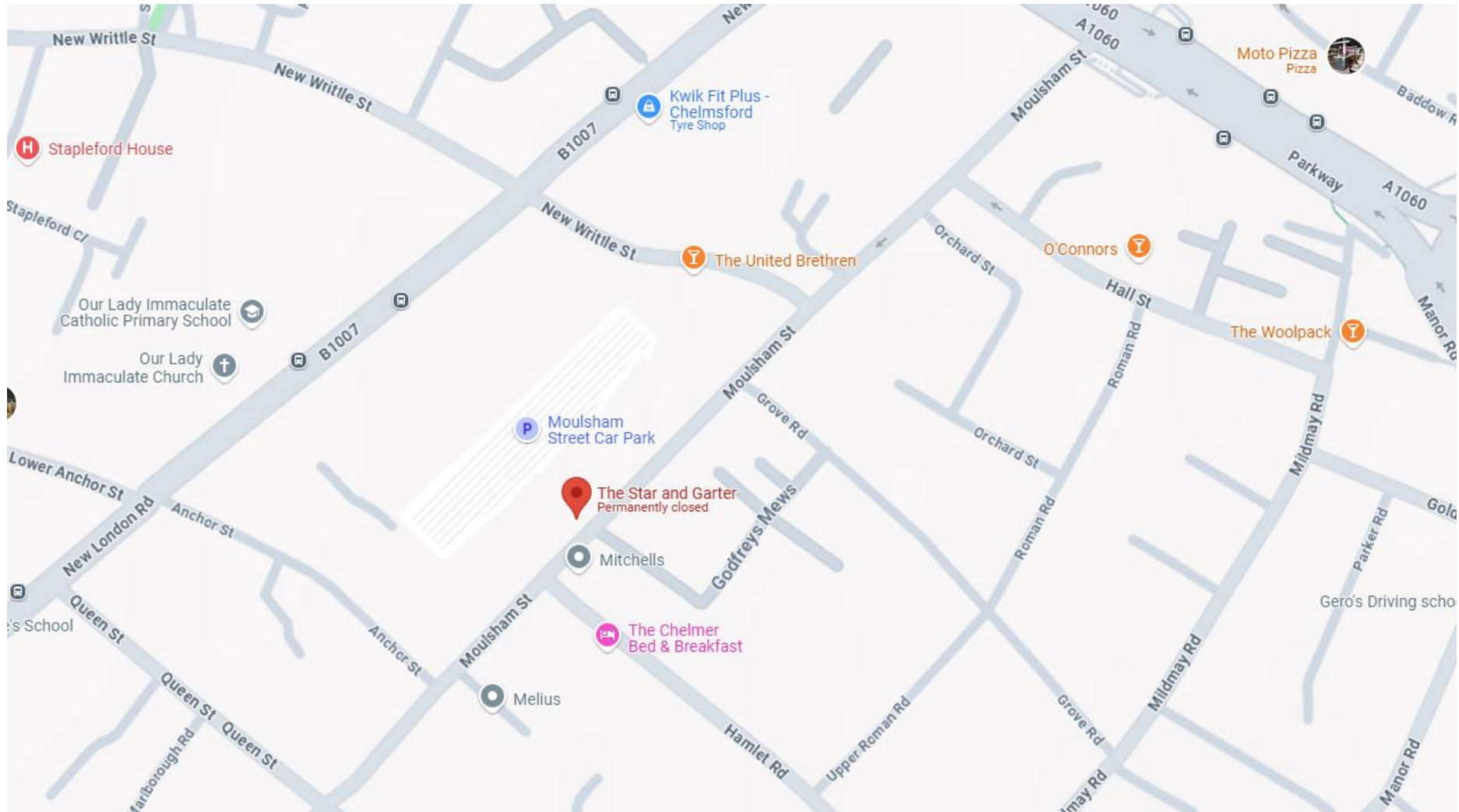
Consultees:

As per required by legislation

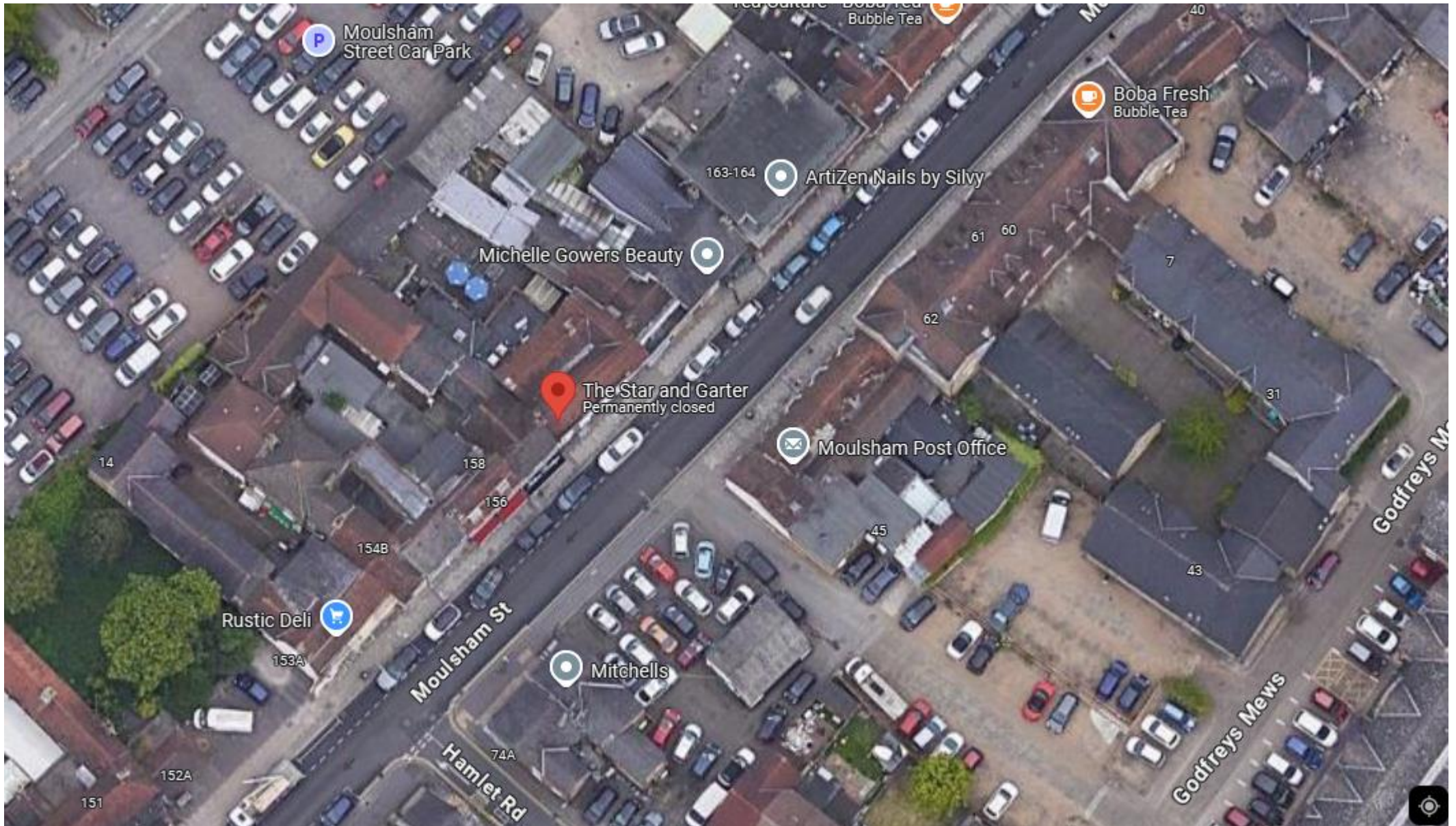
Relevant Policies and Strategies:

Statement of licensing policy

Appendix A



Appendix A



Licensing Act 2003
Part B Premises Licence Summary

Premises Licence Number

23/00715/LAPRE

Premises Details

The Star And Garter Star And Garter 159 Moulsham Street Chelmsford CM2 0LD		
Telephone number		
Where the licence is time limited the dates		
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	Every Day	11:00 - 00:00
The opening hours of the premises are		
Opening hours	Friday to Sunday	11:00 - 01:00
Opening hours	Monday to Thursday	11:00 - 00:00
Where the licence authorises supplies of alcohol whether these are on and / or off supplies		
On the premises only		
Name, (registered) address of holder of premises licence		
TRANSPIRITDELIGHTS LTD 3 Bridon Close East Hanningfield Chelmsford CM3 8BA		

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

Not Applicable

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

Kirsty Hebden-Lambird

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

N/A



Signed:
On behalf of the Licensing Authority

Dated: 18th October 2023

Valid from and issued on 16th June 2024 following a transfer and change of DPS

* required information

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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

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

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

Applicant Business

Is your business registered in the UK with Companies House? Yes No

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

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

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

* Premises Licence Number

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

10,500

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VARIATION

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.

The premises is a one bar public house and is operated as an entertainment venue supplying DJ and Drag act cabaret nights. The Star & Garter has a sign with an alias of BAR PLUS and is promoted as a safe place for the LGBTQ+ community in Chelmsford and beyond. Poor behaviour, and anti-queer hate crime is positively managed. The decoration which is pro-LGBTQ+ is a natural deterrent for those who have an alpha-male attitude, and as such, enjoys trouble free trade with its customers. The numbers expected to attend would not exceed 100 people. There is minimal domestic neighbours, and since opening, there has been zero complaints and concerns for nuisance, noise, or disruption. The premises will not offer off-licence supplies, therefore there is no need to provide a place for consumption of off-supplies. This application is purely for a later license to aid the availability for customers to stay longer at the premises, and to benefit from increased sales. BAR PLUS at The Star & Garter operate a strict 25 years and over age policy for its customers. The premises actively, and positively denies any persons inebriated to consume further alcohol, and has a strict policy for anti-social behaviour inside and outside the premises.

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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

Standard Days And Timings

Continued from previous page...

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

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Start

End

THURSDAY

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FRIDAY

Start

End

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End

SATURDAY

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Start

End

SUNDAY

Start

End

Start

End

Will the performance of a play 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.

Provide further details here.

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.

Karaoke songs performed by customers as live music until midnight [24:00] on Thursday evenings. Amplified live music sung by Drag Artists on Friday nights with recorded amplified music following on from the drag acts until 02:00 on Saturday mornings. Amplified recorded music played by DJ's until 02:00 on Sunday mornings. Amplified music and singing in a Open Mic talent style show performed by customers until midnight [24:00] on Sunday nights.

State any seasonal variations for performing plays.

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

No variation is requested.

Continued from previous page...

Non standard timings. Where the premises will be used for the performance of a play 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.

No non standard timings are requested.

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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

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

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

Yes No

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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

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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.

Continued from previous page...

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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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.

Amplified live performances and dancing, recorder amplified music to be authorised.

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.

No seasonal variations applied for.

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

Continued from previous page...

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

No non-standard timings applied for.

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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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Continued from previous page...

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.

Amplified live music and live performances, and amplified recorded music.

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.

No seasonal variations applied for.

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.

No non-standard timings applied for.

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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

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

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WEDNESDAY

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Continued from previous page...

THURSDAY

Start End
Start End

FRIDAY

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SATURDAY

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SUNDAY

Start End
Start End

Will the performance of dance 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.

Dancing during amplified live music and amplified recorded music.

State any seasonal variations for the performance of dance.

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

No seasonal variations applied for.

Non-standard timings. Where the premises will be used for the performance of dance 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.

No non-standard timings applied for.

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

See guidance on regulated entertainment

Continued from previous page...

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

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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Provide a description of the type of entertainment that will be provided.

Drag artist cabaret live performances, Karaoke singing, Open Mic performances, amplified recorded music.

Continued from previous page...

Will this entertainment 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 performances and recorded music will be amplified.

State any seasonal variations for entertainment.

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

No seasonal variations applied for.

Non-standard timings. Where the premises will be used for entertainment 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.

No non-standard timings applied for.

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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

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WEDNESDAY

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Start

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Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

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.

amplified live music and amplified live performances with dancing would be authorised.

State any seasonal variations.

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

No seasonal variations applied for.

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.

No non-standard timings applied for.

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Continued from previous page...

SUPPLY OF ALCOHOL

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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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...

No seasonal variations applied for.

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.

no non-standard timings applied for.

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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, activities, or other entertainment or matters ancillary to premises that may give rise in respect of children are applied for.

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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

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WEDNESDAY

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THURSDAY

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Start

End

Continued from previous page...

FRIDAY

Start 11:00

End 03:00

Start

End

SATURDAY

Start 11:00

End 03:00

Start

End

SUNDAY

Start 11:00

End 24:00

Start

End

State any seasonal variations.

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

No seasonal variations applied for.

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.

No non-standard timings applied for.

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

The licence has no conditions currently imposed. This full variation is in respect of increasing times available for amplified recorded and live music, the sale of refreshments, the sale of alcoholic beverages on Thursdays, Fridays, and Saturdays for the times stated in this application.

- 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.

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LICENSING OBJECTIVES

Continued from previous page...

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.

The prevention of crime and disorder, public safety, prevention of public nuisance, and the protection of children from harm are objectives that are also important to us at Bar Plus. The reason for opening up our venue is to offer a safe place to the LGBTQ+ community in Chelmsford. We know that those who fall under the LGBTQ+ umbrella need a place where they can feel safe, and have a place to visit that is free from crime and disorder, that they are safe, and that applies to the general public as well. A venue that does not cause public nuisance, and protects children from harm. We at Bar Plus endorse and actively promote the need to protect the local community's peace and to reduce any concerns for the local residents. We adopt a 25 year policy for serving alcohol to all who use our venue when buying alcohol. Furthermore, we do not sell alcohol to anyone who is clearly inebriated, to the extent that some have been refused any further service and have had to leave disappointed.

b) The prevention of crime and disorder

Alcohol consumption has a potential for crime and disorder. For this reason, we advertise a strict policy for refusing the sale to anyone who is visibly unable to talk or act physically appropriately. We make it clear that, in our opinion, they have had enough to drink and that we are not going to serve them anymore on that occasion. This is a policy that we adopt, and train our staff to take extremely seriously. We are seriously aware of the responsibility we have for the actions of our customers when vacating our premises. Each customer is assessed on merit, and we are not afraid to refuse servicing alcohol to anyone displaying aggressive or drunken behavior.

c) Public safety

We make sure that the public are kept safe and are awaiting our creditation from Best Bar None. We follow Essex police Facebook group and connect with pubs who warn of dangerous individuals looking for pubs to visit. We keep our ears and eyes open for any warnings given to us so that the public is kept as safe as possible. We have also applied to become part of the townlink scheme, and look forward to keeping Chelmsford safer for residents and visitors. We have also become coordinator for 'Schemelink' as a way of sharing information and protecting Chelmsford's public safety.

d) The prevention of public nuisance

Public nuisance is reduced to zero through well designed courtyard buffer of sound by erecting a wooden pergola encasing the amplified sound produced. We also plan to admit and vacate customers via the car park on George street. This will reduce any potential nuisance for residents on Moulsham street. We advertise and make it clear that we are responsible for public nuisance, and that our customers must respect our neighbours by quietly vacating our premises, and to make their journeys home in a quiet and respectful way. Our licensing objectives are explained to our customers, and we make it clear that they have a responsibility to uphold the need for not creating a nuisance to public, and the residents of Chelmsford.

e) The protection of children from harm

We adopt a strict 25 year policy for all customers who buy and consume alcohol on our premises. We also have a 8pm curfew for any under age children in our venue. Meaning that under age patrons cannot use our facilities after 8pm. The management and staff are fully trained and aware of these conditions so that children are protected at our venue.

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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 (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

* Capacity

Date (dd/mm/yyyy)

Add another signatory

Continued from previous page...

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.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.

**Representations received in relation to a New Premises
Licence – The Star and Garter, 159 Moulsham Street,
Chelmsford, CM2 0LD**

Representation 1

From: _____ <____>
Sent: 18 October 2024 20:13
To: Licensing <Licensing@chelmsford.gov.uk>
Subject: Objection to change of hours, Star & Garter pub, Moulsham Street,
Chelmsford

Please register my objection to a change of license to late opening , even to 3 a.m. on Saturdays. Music being played until late would create a noise nuisance for the residents of Chelmer Lodge. A considerable number of apartments face the Star and Garter pub, across the George Street car park. Departing, chatting customers of the S & G would certainly not be either quiet or prompt in exiting the car park and do please take this nuisance into consideration when looking at the license, and refuse the application for an hour's extension.

Thank you.

Representation 2

From: _____
Sent: 20 October 2024 09:15
To: Licensing <Licensing@chelmsford.gov.uk>
Subject: Star and Garter license

Dear Board,

I am writing to express my concern about the license application made by The Star and Garter. I think both the opening times quoted and the need for amplified music are extremely concerning. This establishment is a pub not a night club.

Moulsham Street is a commercial street but there are many dwellings in close proximity. The noise from loud music and people using George Street is already a nuisance.

I feel that reasonable opening hours and music played within the venue are acceptable but this should not be to the detriment of people living in the neighbourhood.

Yours faithfully

Representation 3

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

From:

Sent: 21 October 2024 19:53

To: Licensing <Licensing@chelmsford.gov.uk>

Subject: Star and Garter license application

Dear Sir,

With reference to the application for a music/alcohol license at the Star and Garter, Moulsham Street, Chelmsford.

I live in New London Road and my apartment backs on to the George Street car park and Moulsham Street, this noise is very disturbing and I think this is a very bad idea and I strongly object to it as the UB and Black Horse already have loud music on. If they finish by 11pm it's bearable but to have music till 3am is ridiculous.

This is a residential area with many properties nearby. With the pubs all within hundreds of yards from each other I find this application difficult to understand with no consideration for neighbours.

Representation 4

LICENCING SECTION
Chelmsford City Council
Duke Street
CM1 1JE

24th October 2024

Dear Licencing Department

We are horrified to read that the public house Star and Garter, 159 Moulsham street, CM2 0LD, has applied for extended opening hours which appear to be 12 midnight on 5 days and even worse 2.am on the other two, plus closing time.

....., and therefore is affected by the existing noise, music?? and singing or flashing lights from 3 pubs that are very close by. At present they usually seem to have the extended hours to 11 or 12mn only occasionally mainly at weekends. At these times we have to increase radio/tv volumes and are not able to contempt sleeping until then end and sometimes there are disturbances from rowdy leavers.

We cannot imagine that this extension would be contemplated anyway when we understand that a number of living dwellings are being placed in the car park.

We beg you, Please do not grant this application which appears to totaly disregard local residents.

Yours faithfully

..

Representation 5

01 NOV 2024

30th October 2024

Application by The Star and Garter (159 Moulsham St) for variation of licence

Objection

I wish to object to the above application & register my dismay that the Council should grant this proposed variation or should even consider it. As the Council knows, the key document on which local authorities rely, in their role as licensing authorities, is the Guidance issued under section 182 of the Licensing Act 2003. This states that all representations [objections] must be relevant to the four licensing objectives, namely:

The prevention of crime and disorder (for example drug-related problems, disorder, drunkenness and anti-social behaviour)

Public safety (the physical safety of people using the venue)

The prevention of public nuisance (for example noise from music, litter and light pollution)

The protection of children from harm (including moral, psychological and physical harm)

Moulsham St is in the centre of a large residential area. Between Parkway and Queen St., there are four public houses (Black Horse, Star & Garter, the Anchor & the Cricketers. Additionally, there are some smaller licenced premises. Clearly the proposed variation will increase the risk of contravening these licensing objectives.

I would also remind the Council that this section of Moulsham St is part of the Public Spaces Protection Order which covers the city centre. This states that:

The Council is satisfied that activities have been carried out in the Restricted Area which have had a detrimental effect on the quality of life of those in the locality. Further, it is satisfied that the effect of these activities is or is likely to be of a persistent or continuing nature, is or is likely to be such as to make the activities unreasonable and justifies the restrictions imposed by this order.

The activities carried out are as follows:

1. The consumption of alcohol in a manner that causes or is likely to cause harassment, alarm, distress, nuisance or annoyance to any person.
2. The distribution of free literature.
3. Fly-posting.
4. The stationing of advertising boards or other structures being used as such.
5. Threatening, abusive or aggressive behaviour

Clearly, extending the hours of a public house will increase the likelihood of activities 1 & 5.

I would also refer the Council to *R (on application of Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others (2011) EWCA Civ 312*

This case, referred to as 'Hope and Glory', is essential (my emphasis) reading for Responsible Authorities and licensing committees. It is relevant to most hearings.

The decision is important because it:

- illustrates that licensed premises, and the activities that take place in those premises, exist in a dynamic environment and should not be looked at entirely in isolation.

- confirms that this can include the impact that licensable activities have on a range of factors such as crime, the quality of life for residents and visitors to the area, and demand for licensed premises.

- sets out the approach that should be taken when making licensing decisions.

Once again, I strongly urge the Council to reject this application.

Appendix D

Good afternoon ,

I have been negotiation with the applicant on this variation and Essex Police representations are as follows :

- There shall be a personal licence holder on duty on the premises at all times when alcohol is offered for sale

- An individual may not supply alcohol unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder. A written record of this consent will 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

- There shall be no events at the premises that are organised, promoted or advertised by an external promoter (i.e. by an individual/organisation not directly related to the management of the premises).

- On any occasion where the premises conducts licensable activities past midnight , at least two x (2) SIA licensed door supervisors must be on duty from 23:00 hours until at least {30} minutes after the premises closes

- 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;

Appendix D

vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure, this will be recorded immediately.

- 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

- 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}

(f) {any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence}

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.

- The premises shall have in place and operate a zero tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within the premises on posters and similar means.

This policy shall specifically include but not be limited to:

i. Searching practices upon entry;

ii. Dealing with patrons suspected of using drugs on the premises;

iii. Scrutiny of spaces including toilets or outside areas;

iv. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);

v. Staff training regarding identification of suspicious activity and what action to take;

vi. The handling of items suspected to be illegal drugs or psychoactive substances

vii. Steps taken to discourage and disrupt drug use on the premises

viii. Steps to be taken to inform patrons of the premises drug policy/practices

Appendix D

- A copy of this policy document shall be lodged with the police {and licensing authority}.
- A suitable drugs safe/cabinet shall be fitted and any seized items shall be deposited in it. The safe shall be installed at the {main entrance/location} and only the police shall have the access keys. Any seized items shall be placed in a clear bag with a label stating the circumstances of why it is in the safe.
- 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:
 - Biometric Home Office photo ID
 - European National ID Card
 - Ministry of Defence Form 90 (Defence Identity Card)
 - Passport (UK or International)
 - Photo Driving Licence (UK or European)
 - Proof of Age Standards Scheme (PASS) card
- 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

These conditions have been agreed with the applicant .

If these conditions are added to the premises licence Essex Police do not feel it is necessary to hold a Licensing hearing .