

Licensing Committee Agenda

HEARING TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCES

This meeting will consider only licensing matters delegated under the Licensing Act 2003

25th October at 11am

Remote Meeting

MEMBERS OF COMMITTEE INVITED TO ATTEND HEARING

Councillor R. Lee (Chair)

and Councillors H. Clark, J. Hawkins and P. Wilson

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City. If you would like to find out more, please telephone Dan Sharma-Bird in the Democracy Team on Chelmsford (01245) 606523 or email dan.sharma-bird@chelmsford.gov.uk.

Licensing Committee

25th October 2024

AGENDA

1. Apologies for Absence

2. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

3. Minutes

To consider the minutes of the meeting on 3rd October 2024

4. Licensing Act 2003 – Application for a New Premises Licence THE DUCKQUIRI, 44 THE GREEN, WRITTLE, CHELMSFORD, CM1 3DU

MINUTES

of the

LICENSING COMMITTEE

held on 3rd October 2024 at 7pm

Present:

Councillor R. Lee (Chair)

Councillors D. Clark, H. Clark, A. Davidson, J. Frasca, J. Hawkins, L. Mascot, S. Scott and P. Wilson

1. Apologies for Absence

Apologies for absence were received from Councillors Chambers, Davis, John and Pappa.

2. Declaration of Interests

All Members were reminded to declare any interests where appropriate in any items of business on the meeting's agenda. None were made.

3. Minutes

The minutes of the meeting held on 13th September, were approved as a correct record.

4. Public Question Time

No public questions were asked at the meeting.

5. Gambling Act 2005 – Statement of Principles 2025-2028

The Committee considered a report on the revised statement of principles to the Statement of Gambling Policy under the Gambling Act 2005. The Committee was asked to agree the consultation process for adopting the revised policy prior to its adoption in early 2025 by the Council.

The Committee were informed that under legislation the policy had to be reviewed every three years and that a comprehensive review had been carried out in 2021/2022. The Committee heard that since 2022 there had been proposed and implemented changes to Gambling policies and legislation, covering Player Protection Measures, Land-Based Gambling Charges and Age Verification, which were detailed at paragraph 3.4 of the report. The Committee were also reminded that with the recent change in Government, there had been a delay in the much anticipated release of updated guidance from the Gambling Commission. The Committee noted that when this was available, a more comprehensive review of the policy could be undertaken. It was noted that the revised statement would be

advertised on the Council's website, a local newspaper and brought to the attention of other stakeholders. The Committee heard that if no responses were received the policy would next be considered by the Cabinet, but if adverse comments were received then they would be considered by the Chair in consultation with officers under delegation, before going to Cabinet.

In response to questions from the Committee, officers confirmed that;

- The consultation would run for four weeks.
- The amounts of £150 and £500 for light-touch financial vulnerability checks had been proposed by the Gambling Commission.
- Licence holders would have to be aware of and implement the measures mentioned to assist with protecting vulnerable individuals and the Licensing Authority would be able to request evidence that the monitoring or checks were taking place appropriately.

RESOLVED that;

1. The revised Statement of Principles be agreed as fit for purpose and public consultation take place and
2. Following the public consultation
 - (i) If no adverse comments were received, the policy be forwarded direct to the Cabinet for consideration and recommendation for formal adoption by Full Council; but
 - (ii) If adverse comments were received these be considered by the Chair of the Committee, in consultation with the Public Health and Protection Services Manager, to consider and make any changes ahead of the Cabinet meeting.

(7.01pm to 7.13pm)

6. [Licensing Act 2003 – Delegation of Powers for Section 20 Film Classifications](#)

The Committee considered a report on the possible delegation of power to the Public Health and Protection Services Manager for determining Film Classifications under Section 20 of the Licensing Act 2003. The Committee were provided with three options to delegate the function to officers or a fourth option of no change i.e. classification of all films to be referred to the Committee, as is the current position.

The Committee heard that the report had been produced, in relation to an upcoming Pan-Essex Film Festival organised by Essex County Council. The Committee heard that in recent years, the Council had not received many requests to classify films, so the workload for the Committee had been light, but due to the film festival, there would be a significantly increased number of films requiring local classification. Therefore, officers saw the delegation as an opportunity to streamline the process for the upcoming film festival. The Committee were advised that the delegation could be made under Section 10(1)(b) of the Licensing Act 2003. It was confirmed therefore, that the function could lawfully be delegated to officers.

The Committee heard that Tendring District Council had agreed in principle to take the lead on rating the films, due to their experience in doing so. The Committee were informed that Colchester Council, as the other Council involved with classifying and having the films shown in their district, already had a delegation to officers for the classification of films. The Committee were advised that as detailed in the report, Colchester Council planned for their officers to watch the films and charge an hourly rate for officer time.

In response to questions from the Committee, officers informed them that;

- Tendring District Council had not indicated that they would charge either Chelmsford or Colchester for the reports.
- The reports provided by Tendring, would highlight any specific areas that needed to be watched in detail, allowing a local decision on the classification to be made.
- It would be significantly quicker for the Council, if a delegation was to be agreed, due to not having to convene Committee meetings to watch and classify the films.
- If the delegation was not made and the Committee remained responsible for viewing and classifying the films, then Officer's and Councillors time could in effect be duplicated as officers would need to support the meetings.
- The current cost of £180 per film classification, would not be viable for the Festival, therefore the joint approach with Tendring had been considered.
- The films would generally be short in length and from amateur film makers, but there could be up to 105 hours of film, although it was not clear which films would be shown in each individual district.

Members of the Committee, raised concerns about the amount of officer time that could be required to watch the films and how the Council would be reimbursed for classifying the films. In response, officers stated that if the delegation was granted, then discussions could be held by officers and the Cabinet Member to ensure that any officer time spent classifying the films was suitably reimbursed.

The Committee discussed the proposals and agreed in principle, that they were happy for the delegation to be made to officers, specifically for the Film Festival, therefore the first option provided in the report. The Committee felt that this would allow the approach to be trialled and support the festival, before a decision could potentially be made on a wider delegation in the future. The Committee were also informed by their Legal Advisor, that even with the delegation in place, officers could still if required, refer any classifications back to the Committee for a decision.

RESOLVED that;

1. The power to classify films specifically for the 2025 International Film Festival be delegated to the Public Health and Protection Services Manager and;
2. Officers discuss with the Cabinet Member for Safer Chelmsford, a suitable approach for the reimbursement of officer time when classifying the films.

(7.14pm to 8.06pm)

7. Urgent Business

There were no items of urgent business.

The meeting closed at 8.07pm

Chair



Chelmsford City Council Licensing Committee

DATE: 25th October 2024

LICENSING ACT 2003 – APPLICATION FOR A NEW PREMISES LICENCE: THE DUCKQUIRI, 44 THE GREEN, WRITTLE, CHELMSFORD, CM1 3DU

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 Duckquiri Ltd, made under section 17 of the licensing act 2003, for a new premise licence in respect of 44 THE GREEN, WRITTLE, CHELMSFORD, CM1 3DU 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 and Introduction

- 1.1 The area proposed was previously named Robyns Nest and is located on The Green Road, Writtle, and is next to residential properties. I have attached a map of the area 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 is attached as **Appendix B** along with plans, attached as **Appendix C & D**
- 2.2 The application form for the premises licence was received on the 11th of September 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 The new premises licence application provides for the following licensable activities as detailed below:

Sale or supply of Alcohol	Everyday	08:00 – 23:00
Provision of Recorded Music	Monday – Saturday	08:00 – 23:00
Provision of Live Music	Monday – Saturday	12:00 – 23:00

- 2.4 Lexie Wood has been nominated as the designated premises supervisor having obtained a personal licence from Chelmsford Council.
- 2.5 The applicant has provided an operating schedule which promotes all four of the licensing objectives and have agreed changes to licensable hours (10:00 to 23:00) with Writtle Parish Council with the addition of adding noise limiters (no specific limit has been put forward) as a condition should the licence be granted, see attached email to this effect as **Appendix E**.

- 2.6 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 objecting to the application. A copy of these objections are attached as **Appendix F**.

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 - Copy of the Premises Licence Application
- Appendix C – Copy of proposed Plans
- Appendix D – Copy of the Key for the proposed plans
- Appendix E – Agreed changes to licensable hours with Writtle Parish Council
- Appendix F – Representations

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



Ceramics On The Hop
Pottery shop

Paul ainsworth electrical

Writtle Co-op
Funeral Directors

The Rose & Crown

Village Pharmacy

Robyn's Nest

The Little Soak Shop

The Refuge Church UK

Writtle Library

* required information

Section 1 of 21

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

System reference 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

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Company

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Date of birth / /
dd mm yyyy

Nationality

Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

Grade 2 listed building comprising a restaurant with garden on the ground floor and a 3 bedroom dwelling above.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

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

Indoors

Outdoors

Both

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 indoors and outdoors.

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.

n/a

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

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

We would like to be able to have live music played beyond 23:00 on New Years Eve up until 02:00 New Year's Day.

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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 tick 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

Continued from previous page...

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.

n/a

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

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

We would like to be able to play recorded music on New Years Eve exceeding 23:00 until 02:00.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

Section 13 of 21

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

See guidance on regulated entertainment

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

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start End
Start End

WEDNESDAY

Start End
Start End

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

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.

Potential consumption on the green out the front of the property on warm days throughout the summer or during the festive period at either a market on the green or other events.

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

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

We would like to extend alcohol serving times until 01:30AM on New Years Eve into New Years Day.

Continued from previous page...

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

n/a

Continued from previous page...

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

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

We would like to be open until 02:00 on New Years Eve going into New Years Day.

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

I, Lexie Wood, will ensure all staff have undertook training and will maintain refresher courses in their responsibilities to fulfill the terms and conditions of the premises licence by paying due care and attention to the times when the premises is licensed for certain activities, drunkenness and serving underage customers.

b) The prevention of crime and disorder

I will make sure to have competent staff on duty to ensure any incidents of criminal nature are reported to the police along with the aid of CCTV installed by myself the licensee.

c) Public safety

All exits will be kept clear from obstructing hazards in case of an emergency evacuation. I will have fire safety procedures in place, including fire extinguishers, fire blankets, internally illuminated fire exit signs, smoke detectors & emergency lighting with a fire assembly point mapped out.

d) The prevention of public nuisance

Clear notices will be displayed reminding customers to have regards for the surrounding neighbours when leaving the premises in a quiet manner. Staff will remind customers to leave quietly and have regards for the neighbours.

e) The protection of children from harm

My staff and I will ask persons who appear to be under 25 for photographic ID such as a driving license, a passport or other photographic ID issued by HM forces baring the date of birth of the person. All staff will be trained for underage sales prevention regulaly.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

* 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-for-a-new-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.

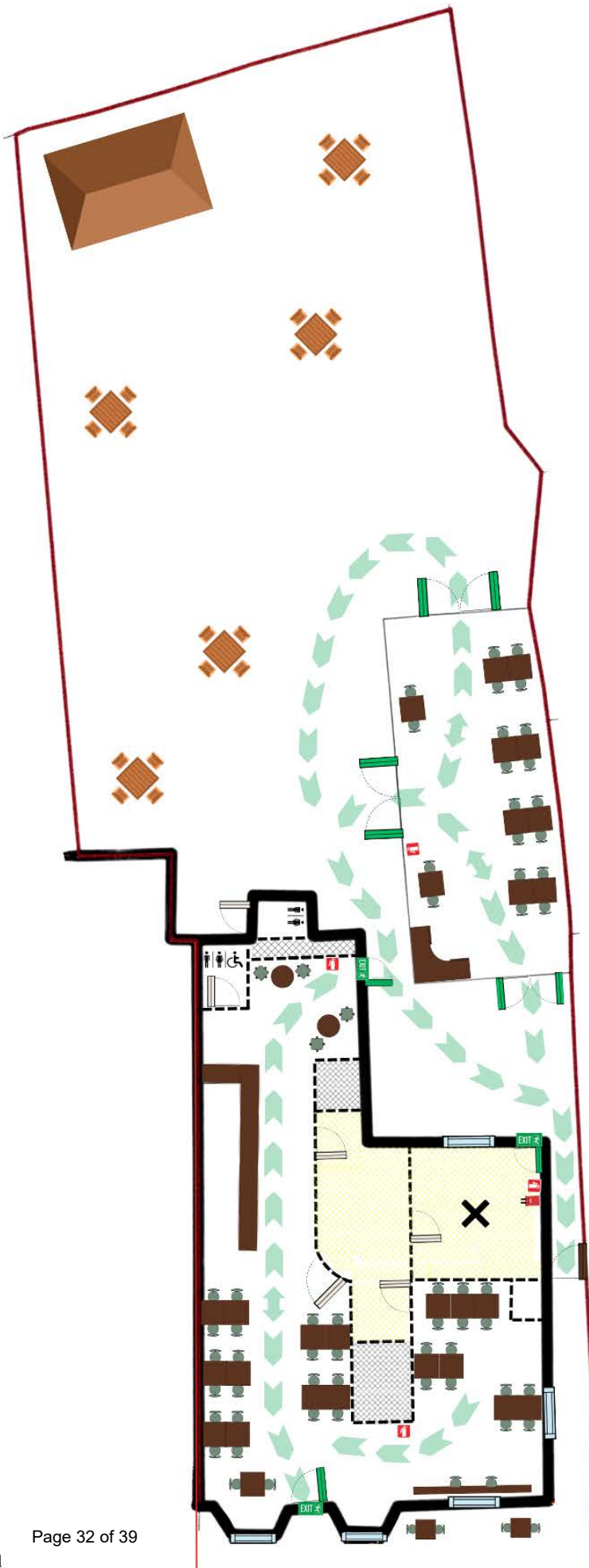
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

The Duckquiri Ltd. Floor Plan

Key Symbols:

-  Kitchen
-  Storage shed
-  Picnic benches
-  Tables/ chairs
-  Internal doors
-  External doors
-  Gate
-  Windows
-  Fire extinguishers
-  Fire blankets
-  Emergency Exit Routes
-  Emergency Exit with sign



← Rear of premises:
Customer Access Garden
with Events Room

← Front of premises:
The Green, Writtle

The Duckquiri Ltd. Premises Floor Plan

Notes:

Premises floor plan drawn to scale 1cm:100cm. Many of the walls of this premises are not straight, so key measurements for clarity with regards to fire safety regulations are listed below.

Key measurements are as follows:

- The front door of the main restaurant building is one of the two emergency exits for the main premises and is 85cm wide. This door is wheelchair accessible.
- The back door leading to the garden at the rear of the premises is also 85cm wide.
- The emergency exit in the kitchen forming part of the back of house area is 80cm wide.
- The most narrow point along the emergency exit routes in the main restaurant building is 105cm across. The emergency exit routes in the main restaurant building widen towards both emergency exits.
- The most narrow point along the path between the garden to the rear of the premises and the front of the premises is 116cm and the width of the gate along this path is 110cm.

Fire Assembly Point labeled at all emergency exits as on Writtle Village Green (opposite the premises).

The main restaurant has two emergency exits (one at the front and one into the garden at the rear). The premises' back of house area has one emergency exit leading to the garden to the rear as well as access to the main restaurant leading to the two main emergency exits. The events room in the garden to the rear has three sets of double doors and therefore three emergency exits. All emergency exit routes lead to the front of the premises, either through the front door or via the side gate between the garden and the front of the premises.

Premises floor plan key:

- Buildings and exterior premises boundaries indicated with solid black lines.
- Storage areas are marked with a black hash.
- Interior walls indicated with black dotted lines.
- Proposed licensed area indicated with red lines.
- Fire escape routes indicated with green arrows.
- Front of house areas indicated in white.
- Back of house areas indicated in yellow.

Email received accepting WPC proposed changes Wednesday 9th Oct '24 at 13:49

Hi Simon

I can confirm I agree to these terms.

Alcohol sales from 10:00 until 23:00 everyday and we will use noise limiters.

Thank you
Lexie

On 9 Oct 2024, at 1:00 pm, Simon PARNHAM <Simon.PARNHAM@chelmsford.gov.uk> wrote:

Good afternoon,

I have had confirmation for Writtle Parish Council that if you agree to the following then a representation will not be considered.

Alcohol Sales from 10:00hrs until 23:00 every day.

With the change of hrs, it has been agreed by both parties that noise limiters would be used as there were concerns regarding the noise levels from the Recorded and Live music being emitted form the premises.

Could you please confirm if you agree to these terms, if so I will inform the Parish Council that you have accepted.

Thank you.

Kind regards

Simon Parnham (MloL)
Senior Licensing Officer
Public Health and Protection Services, Public Places
Chelmsford City Council

Tel: 01245 606727

Email: simon.parnham@chelmsford.gov.uk

Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE

Web: www.chelmsford.gov.uk

Representations

1. I submit this representation to object to the licensing application for The Duckquiri Ltd located at 44 The Green, Writtle, Chelmsford, CM1 3DU.

I object to turning the former tea room into what appears to be a cafe in the day and a cocktail bar in the evening. The premises is a grade 2 listed building in a quiet residential area with homes surrounding the property. The noise from day time used at the former tea room was at times very loud as the walled garden had an echo effect, but during day times this was not a huge issue if not sometimes distracting, but to have live music and late opening hours possibly 7 days a week is very concerning.

Licensable Activities applied for: Sale or supply of Alcohol Every Day 08:00 – 23:00
Recorded Music Every Day 08:00 – 23:00
Live Music Friday to Sunday 12:00 – 23:00

2. We hereby object to the licensing application for The Duckquiri Ltd, 44 The Green, Writtle, Chelmsford, CM1 3DU in regards to licensing objective, public nuisance.

Our notes are as follows:

As a preliminary note, we would like to state that we are excited about this property reopening as a cafe in Writtle, as the community here is definitely in need of a local hub of this kind. Moreover, living next to this property is not of any concern to us whereby the primary use is of a cafe/tea shop and the hours of operation, as well as the use, are commensurate with this. The previous leaseholders, Robyns Nest, were an example of this kind.

The building is in a heavy residential area, surrounded entirely by private residences and its garden borders many others directly. Therefore, it's an obvious statement that the right to quiet enjoyment would be fully removed with the opening hours applied for.

I then bring your attention to the 2019 planning application 19/00998/S73. Two planning conditions were set in place for the property, one which states that opening hours should be limited to 10:00 - 19:00 Mon-Sat and 10:00-17:00 Sunday. The other, that the garden should not be used on Sundays to allow surrounding residents quiet enjoyment of their gardens. Our current understanding, although we do seek clarification, is that these planning conditions are still active and would supersede any licensing application. Nothing has fundamentally changed in regards to the area's infrastructure in this time, especially given it resides in the Writtle conservation area.

Moreover, you'll see in the decision notice for that planning application, that Writtle Parish Council were of the decision that the building should remain of the sole use of a tea shop/cafe and private functions should not be held.

It's therefore with these items in mind, we cannot currently fathom how a licensing application of such kind would feasibly be approved.

We believe the relevant licenses should only be approved, if commensurate with the primary and sole purpose of the property being a tea shop/cafe, in addition to adhering to the relevant planning conditions. To be clear, this would mean limiting the hours of operation and recorded music, as well as a full objection to live music given it would fundamentally change the character/use of the building.

Thanks

3. We wish to object to the alcohol license for 44 The Green Writtle CM1 3DU. We are delighted to see the tea room opening again. We only object to hours after 5 pm as this is beyond tea time. However we do object to a music/alcohol/event license on evenings and weekends.

This has a detrimental impact on the lives of the residents, we have quite a lot of businesses in Writtle catering for evening refreshment, we don't see the need for more!

As Writtle rate payers we can assure you that the impact of the events allowed on the Green are quite a challenge; noise, parking issues and litter. Music and drinking in the garden next door but one is an added negative for living in a pleasant place.

We hope you consider our objections fairly. We also wish Lexie Wood and her team success in the TEA ROOM venture

4. Dear Sir/Madam,

I write with regard to the recent licensing application by The Duckquiri at 44 The Green. The garden of 44 The Green abuts that of 16 St Johns Road, which I own and will become my new home once the last few pieces of building-work are completed.

I OBJECT to all aspects of the application.

The opening hours for 44 The Green were last reviewed in 2019, for the business of a tea-room (19/00299/FUL). In its response to the application, the Parish Council noted both that Sunday opening hours should be restricted by a 5pm closure, and that the cafe not be used for functions on any day - both measures to protect the amenity of neighbours. Furthermore, the officer-report for that application echoed the Parish Council's input, requiring that 'the garden/function-area' not be used on Sundays in order to permit neighbours' private enjoyment of amenities.

These recommendations were deemed necessary to address intrusion arising from a tea-room, lacking permission for either music, alcohol or events, any one of which would cause an exponential increase in the intrusion on the amenity of neighbours. It goes without saying that I am alarmed by the breadth and scope of this application, which pays no regard to any of the responses/reports of the 2019 application.

Nothing has changed in the intervening period since the last application - the premises are still within a residential area, surrounded by very young families, where quiet enjoyment of one's home is expected - along with the ability to sleep. The conduct permitted by granting this license would cause an intolerable intrusion on these very reasonable expectations.

Provided that the premises operated solely within its currently licensed hours, I don't think there would be much objection to the continuation of a tea-room, selling locally made bakery produce, along with soft-drinks, for consumption on-site and to take away. A business such as this no longer exists in the heart of Writtle, following the closures both of Robyn's Nest, and previously Mauro's On The Green. On the other-hand, a venue offering late-night alcohol, with music and events hosting, well, there are already three other premises on The Green itself (Olio's restaurant, The Rose and Crown, and The Wheatsheaf public houses), added to which there is the Village Hall (also on the The Green), along with the Church Hall, and the Pakwaan restaurant, both just a few yards beyond The Green. There is no shortage of the venue type applied for, and therefore no overriding public interest in providing yet more of the same.

There may be some speculation about whether alcohol, music and events are peripheral to the intended business, and that the applicant merely wants to be able to play light background music, sing 'Happy Birthday' and serve the odd bottle of bubbly when hosting "Great Aunt Flo's 100th Birthday". I think we need only consider that the applicants have named their company and premises as "The Duckquiri", to gain insight on where they see their core business - it probably isn't tea and scones.

The well known aphorism that "if something looks, walks and talks like a duck, it probably is" seems particularly apt. The applicant requests opening until 11pm every night of the week, to be permitted to play music, including live music at weekends, to serve alcohol, and has a name playing on a well known cocktail; this is the proverbial duck! The notion that this application is not to establish the business as a cocktail bar is, one might say, for the birds.

Please do not permit this premises to cause further intrusion on its surrounding neighbours.

Yours sincerely,

Addendum: A printed letter has been received by a number of adjoining neighbours, apparently from the applicants, describing a significantly less extensive business-plan than has been applied for - I have enclosed a scan of this for your consideration. This letter broadly echoes the report I have received of a conversations held with people at the address, whom were understood to be the owners - although one of these bizarrely claimed they wouldn't be having live music on account of lack of space!

Whilst I sincerely hope that the licensing department will heed the objections from myself and other neighbours and refuse the application in its entirety, this can by no means be assured. If however our representations and loss of amenity are ignored, I would I would urge that if any extension of licensing is permitted that those aspects granted would not exceed what applicants have claim to require. ie not more than one monthly weekend event, which even then is likely to prove pretty insufferable. And please preserve the sanctity of our Sundays - no use of the garden.

5. Dear Mr Parnham

I am writing to formally object to the music licensing application submitted for the above-referenced premises. As a resident of the area, I believe that granting this license for permission to play music in the grounds of the premises; in the garden and the semi-detached garden annexe, until 11pm seven days a week will have a significant adverse impact on the local community.

My specific grounds for objection are as follows:

1. Public Nuisance

The venue's close proximity to residential properties raises concerns about public nuisance, particularly from patrons socialising in the garden area and semi-detached garden annexe late at night.

Issues such as loud conversations, singing along to the music, shouting and loitering late into the evening may occur, potentially causing disruption to closely situated neighbours and other residents. The premises is also semi-detached to the left, and that adjoining property is occupied by a family with a baby. The property at the rear of the premises is in very close proximity to the rear of the garden and the semi-detached garden annexe is joined directly to our house via the garden wall and adjoins our bedroom. Noise transfers directly though the wall from the function room to our bedroom where laughing and loud voices can be clearly heard.

Can we respectfully ask whether an impact assessment has been carried out and if so, how has this influenced the application?

Is it possible to have sight of the Operating Schedule as to how control measures are to be set out to mitigate the perceived risk should the license be granted?

2. Noise Disturbance

The introduction of music outside of the main building; in the garden and semi-detached garden annexe, into the evening at this venue will likely lead to a substantial increase in noise levels, particularly during late hours. The premises is situated in a conservation area, and this could disturb the peace and tranquility of the neighbourhood for a number of properties on The Green and St. Johns Road to the rear of property, affecting the quality of life during evening hours of the residents who live here.

3. Violation of Local Licensing Guidelines

I believe this application may contravene local licensing policies or guidelines that seek to protect residential areas from excessive noise and disruption. I request that the licensing authority reviews whether this application is compliant with the relevant statutory requirements and guidelines.

We have lived in our property since 2012 and until recently there has been a cafe operating through the daytime in all that time. The re-opening of a cafe is a huge asset to the village and we welcome the new proprietors and wish them well in their venture. Noise from the tea garden in the daytime has never been excessive, and we have had excellent relations with all the previous owners during our time here.

However, we are concerned that the license applied for; the playing of music in the garden and semi-detached garden annexe until 11pm seven days a week extends

beyond what has been custom and practice in our time here and for many years before, and granting it could lead to considerable noise outside of the main building late into the evening, potentially on work/school days.

For these reasons, I respectfully urge the licensing authority to reject the application for a music license at the aforementioned premises for the garden and semi-detached garden annexe until 11pm.

I hope my concerns will be taken into consideration, and I am willing to provide further evidence or attend any hearings if required.

Thank you for your attention to this matter. I look forward to your response.

Yours sincerely,

END