

## BABERGH DISTRICT COUNCIL

<b>From: Corporate Manager - Licensing</b>	<b>Report Number: M58</b>
<b>To: Licensing Sub-Committee</b>	<b>Date of meeting: 22 August 2012</b>

### LICENSING ACT 2003 – HEARING TO DETERMINE AN APPLICATION TO VARY A PREMISES LICENCE

#### 1. Purpose of Report

- 1.1 To report information to the Sub-Committee to enable the determination of an application made to vary premises licence BPL0072 on issue for Easterns Station Lounge at 31 Station Road, SUDBURY, Suffolk CO10 2SS.

#### 2. Recommendations

- 2.1 The Sub-Committee must, having regard to the representations made, take such of the steps below (if any) as it considers necessary for the promotion of the licensing objectives:

- to modify the conditions of the licence;
- to reject the whole or part of the application;

and for this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

The Sub-Committee is able to determine the variation application.

#### 3. Financial Implications

- 3.1 There is a statutory right of appeal to the magistrates' court for any party aggrieved by the decision taken by the Licensing Authority.

#### 4. Risk Management

- 4.1 None, other than those that inherently apply to the Licensing Authority when carrying out its licensing functions. The four licensing objectives are prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

#### 5. Consultations

- 5.1 The application made has been subject to the statutory consultation period as prescribed by regulation. The Notices required by regulation have been on display at the premises and published (Suffolk Free Press 5 July 2012 edition).

## 6. Equality Analysis

6.1 There are no equality impacts arising directly from the matters contained within this report.

## 7. Shared Service / Partnership Implications

7.1 Not applicable.

## 8. Key Information

8.1 The hearing is to determine an application to VARY an existing premises licence (number BPL0072) made under section 34 of the Licensing Act 2003. For ease of reference a summary of the existing premises licence permissions is attached as Appendix A.

8.2 The application has been submitted by the premises licence holder:

**Easterns Café Bar Limited** (registered company number 04217519)

For licensed premises:

**Easterns Station Lounge**, 31 Station Road, SUDBURY, Suffolk CO10 2SS.

The owner of the premises and DPS is:

**Mr David Pratt** (a personal licence holder with Colchester Borough Council)

8.3 Generally, the variation seeks to add boxing and wrestling entertainment (indoors) 10:00am to 01:00am for occasional events held between Sunday and Thursday. It also seeks to modify existing conditions of licence as detailed within the application form attached as Appendix B.

8.4 Easterns Station Lounge has benefitted from a premises licence issued by Babergh District Council since November 2005 (when the Licensing Act 2003 took effect) and prior to that held liquor and public entertainment licence permissions under now repealed legislation. Since 2005, the licence holder has successfully made amendments to the licence terms and conditions attached to premises licence BPL0072, including enhancements to further promote the licensing objectives, via a minor variation process in June 2011 and a section 34 (full) variation in August 2011.

8.5 A hearing is necessary to determine the application (ref: 007826) following receipt of relevant representations which have not been withdrawn. The Licensing Authority must carry out its functions under the Act with a view to promoting the licensing objectives, which are:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm

- 8.6 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy published under section 5 of the Act, and any guidance issued by the Secretary of State under section 182.
- 8.7 Where revisions are made to the legislation or guidance issued by the Secretary of State, there may be a period of time when the local Statement of Licensing Policy is inconsistent with these revisions. In these circumstances, the Licensing Authority will have regard, and give appropriate weight, to the relevant changes, guidance and its own Statement of Licensing Policy.
- 8.8 The Sub-Committee will also be aware of Human Rights Act 1998 considerations - specifically Article 6 and Articles 8 and 1 of Protocol 1 when determining applications for the variation of an existing licence.

## 9. Representations

- 9.1 Representations have been received from Suffolk Constabulary and the Environmental Health Officer. These submissions are attached as Appendix C to this report.
- 9.2 There have been no representations made by 'other persons' (which includes local residents and businesses).

## 10. Appendices

Title	Location
A. Summary of premises licence BPL0072	Attached
B. Variation application 007826 submitted 27.06.2012	Attached
C. Representations received from Responsible Authorities	Attached

## 11. Background Documents

None.

### Authorship:

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ENVIRONMENT DIVISION

## Licensing Act 2003

## Premises Licence Summary BPL0072

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Easterns Station Lounge**  
**31 Station Road**  
**SUDBURY**  
**Suffolk CO10 2SS**

## POST TOWN

SUDBURY

## POST CODE

CO10 2SS

## TELEPHONE NUMBER

01787 374241

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- Supply of alcohol (both ON and OFF the premises)**
- Films (indoors)**
- Indoor sporting events**
- Live music (indoors)**
- Recorded music (indoors)**
- Performances of dance (indoors)**
- Provision of facilities for dancing (indoors)**
- Late night refreshment (indoors)**

## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

**STANDARD TIMINGS:****(a) All regulated entertainment activities and provision of entertainment facilities:**

**Hours authorised:** 10:00hrs until 01:00hrs (Monday & Tuesday)  
 10:00hrs until 02:00hrs (Wednesday)  
 10:00hrs until 03:00hrs (Thursday to Saturday)  
 12:00hrs until 01:00hrs (Sunday)

**(b) Late night refreshment:**

**Hours authorised:** 23:00hrs until 01:00hrs (Monday & Tuesday)  
 23:00hrs until 02:00hrs (Wednesday)  
 23:00hrs until 03:00hrs (Thursday to Saturday)  
 23:00hrs until 01:00hrs (Sunday)

**(c) Supply of alcohol (both ON and OFF the premises):**

**Hours authorised:** 10:00hrs until 01:00hrs (Monday & Tuesday)  
 10:00hrs until 02:00hrs (Wednesday)  
 10:00hrs until 03:00hrs (Thursday to Saturday)  
 12:00hrs until 00:30hrs (Sunday)

*Note: Supply of alcohol is for consumption ON the premises only after 23:00hrs Monday to Saturday and after 22:30hrs on Sunday.*

**SEASONAL VARIATIONS / NON-STANDARD TIMINGS:**

**Christmas Eve, all bank holidays and the evening preceding a bank holiday:**

All licensed activities are authorised until 03:00hrs.

**New Years Eve (31 December):**

From the end of authorised hours on 31 December to the start of authorised hours on the following day

THE OPENING HOURS OF THE PREMISES

**STANDARD TIMINGS:**

Monday & Tuesday	10:00hrs until 01:00hrs
Wednesday	10:00hrs until 02:30hrs
Thursday to Saturday	10:00hrs until 03:30hrs
Sunday	10:00hrs until 01:00hrs

**SEASONAL VARIATIONS / NON-STANDARD TIMINGS**

**Christmas Eve, all bank holidays and the evening preceding a bank holiday:**

Opening hours shall extend until 03:30hrs.

**New Years Eve (31 December):**

From the end of authorised hours on 31 December to the start of authorised hours on the following day.

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

**Supply of alcohol for consumption both ON and OFF the premises**

Note: ON supplies only after 23:00hrs Monday to Saturday and 22:30 Sunday

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

**Easterns Café-Bar Limited**

82C East Hill, COLCHESTER, Essex CO1 2QW

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

**Registered company number: 04217519**

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

**Mr David Pratt**

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

**A: By virtue of section 145 of the Licensing Act 2003:**

(i) Children under the age of 16, that are not accompanied by an individual aged 18 or over, are not permitted to be on the premises at a time whilst the premises is open and being used exclusively or primarily for the supply of alcohol for consumption on the premises.

(ii) Children under the age of 16, that are not accompanied by an individual aged 18 or over, are not permitted to be on the premises between the hours of midnight and 5am whilst the premises is open and being used for purposes including the supply of alcohol for consumption on the premises.

**B: By virtue of the operating schedule submitted by the premises licence holder:**

(i) There shall be no person under the age of 18 permitted on the licensed premises after 1700hrs whilst the premises are open for licensable activities. No person under the age of 18 shall be permitted on the licensed premises at any time whilst it is being used exclusively or primarily for the sale or supply of alcohol.

(ii) Persons under the age of 18, permitted on the premises up until 1700hrs, must be accompanied at all times by a responsible adult. No person under the age of 14 shall be permitted in the bar area of the licensed premises whilst the premises are open for licensed activities unless one of the following applies:

- (a) He/she is the child of the holder of the premises licence,
- (b) He/she resides in the premises, but is not employed there,
- (c) He/she is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

## **ANNEX 1 - MANDATORY CONDITIONS:**

*The following conditions in Annex 1 are mandatory under the provisions of the Licensing Act 2003:*

1. Alcohol shall not be sold or supplied:
  - (a) At any time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) At any time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended
2. Every sale or supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The admission of children to the exhibition of any film shall be restricted in accordance with the film classification awarded by the British Board of Film Classification (BBFC), or any successor person or persons designated as the authority under section 4 of the Video Recordings Act 1984.
4. Where one or more individuals are being used at the licensed premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.
5. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
  7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

8. (a) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(b) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
9. The responsible person shall ensure that –
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

## **ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE:**

*The following conditions in Annex 2 are conditions consistent with the operating schedule submitted by the applicant within the application:*

1. CCTV shall be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas and all areas where the sale/supply of alcohol occurs. Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a minimum period of 28 (twenty-eight) days and made available to the Police upon demand. The Premises Licence Holder shall ensure that at all times the Designated Premises Supervisor (DPS) or appointed member of staff is capable and competent at downloading CCTV footage into a viewable format on disc or storage device and given to the Police/Local Authority within 36 hours of a request. The recording equipment and discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. 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 failings, actions taken are to be recorded. In the event of technical failure of the CCTV equipment the Premises Licence Holder/DPS shall report the failure to the Police and Licensing Authority immediately.
2. A Personal Licence Holder shall be on duty on the premises at all times whilst the licensed premises are being used for the sale and supply of alcohol.
3. All bar staff engaged in the sale of alcohol shall be trained in responsible alcohol retailing to the minimum standard of BIIAB Level 1, or equivalent, within three months of commencing employment at the licensed premises. Training records shall be kept on the premises and produced to the Police and authorised officers of the Local Authority upon demand. For the avoidance of doubt this training may be administered in-house in accordance with the relevant criteria.
4. A minimum of 2 (two) SIA registered door supervisors shall be employed at the premises on Fridays. At least 1 (one) of these supervisors shall be female. One shall commence duty by 21:00hrs and the other shall commence duty no later than 23:00hrs, with both to remain on duty until the termination of licensable activities. A minimum of 4 (four) SIA registered door supervisors shall be employed at the premises on Saturdays. At least 1 (one) of these supervisors shall be female. Two shall commence duty by 21:00hrs and the other two shall commence duty no later than 23:00hrs, with all to remain on duty until the termination of licensable activities. On any other day where a specialist music event is arranged to continue past midnight the premises management shall employ a minimum of 2 (two) SIA registered door supervisors. All door supervisors shall be easily identifiable at all times by use of high visibility clothing / uniform. At all times on days when door supervision is required, a door supervisor shall monitor the entrance/exit from the club to the smoking area.
5. A search policy shall be implemented at the licensed premises. A minimum ratio of one (1) in ten (10) customers shall be randomly searched upon entry to the licensed premises. ALL persons suspected of possessing prohibited articles shall be searched upon entry.

6. The Premises Licence Holder shall ensure that by use of either Town Link Radio, the 999 service or other non-emergency number, all instances of ejection of persons from the licensed premises shall be notified to the Police at the time of happening or as soon as possible thereafter. Where an offence has been committed the door supervisors or premises management shall retain the offender for hand over to the Police or else shall take all reasonable steps to identify the offender and pass the identity on to the Police as soon as is reasonably practicable.
7. An incident book shall be kept and maintained on the licensed premises at all times. The book shall detail, in brief, every incident of injury/ejection/refusal/drug misuse/seizure/age challenge. All incident entries shall be timed, dated and signed by the author and produced to Police/authorised officers of the Local Authority upon demand.
8. There shall be no new patrons admitted, or patrons re-admitted, to the licensed premises after 02:00hrs on any occasion. For the avoidance of doubt, patrons that are observing the smoke-free legislation in the designated smoking-areas for the licensed premises, and whilst they have been under the direct control and supervision of the licence-holder or their staff, and have not otherwise left the premises, may be re-admitted to the licensed premises.
9. Policies relating to age, drugs and dispersal are to be submitted to and approved by the Licensing Authority and Police prior to implementation.
10. Signage, in not less than sized 32 font, shall be displayed prominently and maintained at the point of access, toilet areas and exits in relation to age policy, drug policy and dispersal policy.
11. There shall be no person under the age of 18 permitted on the licensed premises after 17:00hrs whilst the premises are open for licensable activities. No person under the age of 18 shall be permitted on the licensed premises at any time whilst it is being used exclusively or primarily for the sale or supply of alcohol.
12. Persons under the age of 18, permitted on the premises up until 17:00hrs, must be accompanied at all times by a responsible adult. No person under the age of 14 shall be permitted in the bar area of the licensed premises whilst the premises are open for licensed activities unless one of the following applies:
  - (a) He/she is the child of the holder of the premises licence,
  - (b) He/she resides in the premises, but is not employed there,
  - (c) He/she is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
13. All individuals, without any exception, subject to a local Pub Watch ban shall be refused entry and excluded from the licensed premises for the entire duration of their ban. All staff shall be alerted to the banned persons by the Pub Watch representative and report to the Police any attempt by such persons to gain access to the licensed premises.
14. It shall be the responsibility of the DPS to ensure that all staff are clearly instructed to not allow customers to remove any drinking vessels from the premises. For the avoidance of doubt, no drinking vessels shall be taken into the smoking area. Empty drinking vessels shall be regularly collected so as to ensure no accumulation in areas to which the public have access, and any activities such as the taking out of refuse, including glass bottles, must NOT be carried out between 23:00hrs and 07:00hrs.
15. All instances of drunkenness, disorder, drug use or violence shall be challenged, and result in the ejection or retention of the individual(s). Under serious circumstances due consideration shall be given to the individual's permanent exclusion from the premises.
16. The supply of alcohol is authorised for consumption ON the premises ONLY after 23:00hrs Monday to Saturday and 22:30hrs on Sunday.
17. Consumption of alcohol on the licensed premises shall be restricted to the areas as shown in Annex 4 of premises licence BPL0072. For the avoidance of doubt, no alcohol is to be taken outside by customers using the smoking area.
18. The Premises Licence Holder/DPS/Manager shall, each hour, survey noise breakout from the premises whilst regulated entertainment is being provided. Where the noise or vibration level is such that it is likely



to cause disturbance to residential properties, he/she shall decrease the volume level accordingly. Where excessive noise is detected, details of the checks, including times and actions taken, are to be logged and kept on the premises for a minimum of 2 (two) years.

19. The volume control of any amplification equipment being used on the licensed premises shall be kept under the direct control of the DPS/Manager, or another responsible individual nominated by the DPS, on all occasions. At the direct request of an authorised officer of the Local Authority or Police, the volume level shall be decreased.
20. All external doors, windows and the internal door of the lobby leading to the smoking area shall be kept closed to reduce noise breakout from the premises, except where practicable for ingress and egress. All such doors shall be fitted with self-closing devices.
21. The Premises Licence Holder shall provide on the licensed premises a secure deposit box to retain any confiscated items, and shall notify the Police of any items requiring safe disposal.
22. Any waste or litter, including smoking related litter, at the perimeter of the licensed premises shall be cleared at least once every 24 hours at the close of business. Adequate smoking related litterbins shall be provided at the front entrance and smoking areas of the premises and these shall be emptied on a daily basis.
23. The licensed premises shall be equipped with suitable and sufficient soundproofing. This shall include 'acoustic lobbies' on all external doors used by customers. The internal and external doors to these lobbies shall be fitted with self-closing devices.
24. The number of persons on the licensed premises shall be recorded by ticket/admission sale records, clicker or other suitable counting device - the results of which shall be made available to an authorised Officer of the Licensing Authority or Police upon request and shall be retained for a minimum of 60 days.
25. The licensed premises shall be structurally adapted and bona fide used for the purpose of providing for persons resorting to the premises music and dancing and substantial refreshment to which the sale of alcohol is ancillary.

007826

end 26/7

[insert name and address of relevant licensing authority and its reference number, (optional)]

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We David Pratt on behalf of Easterns Café-Bar Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number BPL0072	BABERGH D.C. LICENSING SECTION
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description  31 STATION ROAD	27 JUN 2012
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Post town Sutton	Post code CO10 2SS
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Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ Band C

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]
Current postal address if different from premises address	[REDACTED]
Post Town	[REDACTED]
Postcode	[REDACTED]

copy sent postal to PC7

**Part 3 - Variation**

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

Variation proposals are to amend some existing conditions of licence, due to business needs and current operational difficulties being experienced.

This application is not proposing to significantly reduce any of the current controls in place at Easterns Station Lounge. The premises is managed responsibly and to ensure promotion of the licensing objectives.

This variation does not propose any alteration to any of the existing licensable activities, timings or opening hours. *EXCEPT FOR BOXING & WRESTLING.*

Full proposals for amended conditions is attached to the application as Annex 1.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

<i>N/A</i>
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#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

##### Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

##### Provision of late night refreshment (if ticking yes, fill in box L)

##### Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)	
Mon				
Tue				
Wed				
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)	
Thur				
			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)	
Fri				
Sat				
Sun				

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1000	0100	<u>Please give further details here</u> (please read guidance note 3)  OCCASIONAL EVENTS ONLY. SOJOURN BOXING CLUB.		
Tue	1000	0100			
Wed	1000	0100	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur	1000	0900			
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun	1000	0100			



**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>		
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b><u>Will the facilities for dancing be indoors or outdoors or both – please tick</u></b> (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give a description of the facilities for dancing you will be providing</u></b>	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue				
Wed				
Thur			<b><u>State any seasonal variations for providing dancing facilities</u></b> (please read guidance note 4)	
Fri				
Sat			<b><u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)	
Sun				

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>		
Day	Start	Finish	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					

L

<b>Late night refreshment Standard days and timings (please read guidance note 6)</b>			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 3)</b>		
Mon					
Tue					
Wed					
Thur					
			<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>		
Fri					
Sat					
Sun					
			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)</b>		
Fri					
Sat					
Sun					



**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)</b>	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		

**N**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)**

None

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)
Sun			

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

As specified in Annex 1

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

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

ENCLOSURE

**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

N/A

**b) The prevention of crime and disorder**

N/A

**c) Public safety**

N/A

**d) The prevention of public nuisance**

N/A

**e) The protection of children from harm**

N/A


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	27/06/12
Capacity	Owner

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)**

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

**VARIATION TO PREMISES LICENCE BPL0072 Easterns Station Lounge**  
**ANNEX 1 Proposals for amendment of licence conditions**

**REMOVAL OF ANNEX 2 CONDITION 2 which currently states:**

"A Personal Licence Holder shall be on duty on the premises at all times whilst the licensed premises are being used for the sale and supply of alcohol."

**AMENDMENT OF ANNEX 2 CONDITION 4 to remove reference to female door supervisor:**

4. A minimum of 2 (two) SIA registered door supervisors shall be employed at the premises on Fridays. ~~At least 1 (one) of these supervisors shall be female.~~ One shall commence duty by 21:00hrs and the other shall commence duty no later than 23:00hrs, with both to remain on duty until the termination of licensable activities. A minimum of 4 (four) SIA registered door supervisors shall be employed at the premises on Saturdays. ~~At least 1 (one) of these supervisors shall be female.~~ Two shall commence duty by 21:00hrs and the other two shall commence duty no later than 23:00hrs, with all to remain on duty until the termination of licensable activities. On any other day where a specialist music event is arranged to continue past midnight the premises management shall employ a minimum of 2 (two) SIA registered door supervisors. All door supervisors shall be easily identifiable at all times by use of high visibility clothing / uniform. At all times on days when door supervision is required, a ~~door supervisor~~ member of staff shall monitor the entrance/exit from the club to the smoking area.

**AMENDMENT OF ANNEX 2 CONDITION 8 to allow discretion for door-staff to re-admit patrons in exceptional circumstances. All re-admissions to be searched:**

8. There shall be no new patrons admitted, ~~or patrons re-admitted,~~ to the licensed premises after 02:00hrs on any occasion. For the avoidance of doubt, patrons that are observing the smoke-free legislation in the designated smoking-areas for the licensed premises, and whilst they have been under the direct control and supervision of the licence-holder or their staff, ~~and have not otherwise left the premises,~~ may be re-admitted to the licensed premises. Patrons that are returning to the premises may in exceptional circumstances (such as those transporting someone else home before returning) be re-admitted at the discretion of the premises management. All persons requesting re-entry to the venue under these circumstances shall be searched by door supervisors. A legible record shall be kept at the premises logging all authorised re-admissions.

**AMENDMENT OF ANNEX 2 CONDITION 11 to allow operational flexibility for functions and community events:**

11. ~~There shall be no person under the age of 18 permitted on the licensed premises after 17:00hrs whilst the premises are open for licensable activities.~~ No person under the age of 18 shall be permitted on the licensed premises at any time whilst it is being used as a night club, bar or exclusively or primarily for the sale or supply of alcohol. With the exception of sixth-form or similar pre-booked school functions for 17 and 18 year olds, persons under the age of 18 shall only be permitted on the licensed premises whilst attending a pre-booked function and accompanied by a responsible person over the age of 18. For sixth-form or similar pre-booked school functions for 17 and 18 year olds, alcohol shall only be sold or supplied to those over the age of 18 years in an area of the premises which is suitably and sufficiently separated and supervised to ensure that under 18s are not able to purchase or consume alcohol.

**AMENDMENT OF ANNEX 2 CONDITION 12 as a consequence of the above proposal:**

12. ~~Persons under the age of 18, permitted on the premises up until 17:00hrs, must be accompanied at all times by a responsible adult.~~ No person under the age of 14 shall be permitted in the bar area of the licensed premises whilst the premises are open for licensed activities unless one of the following applies:
- (a) He/she is the child of the holder of the premises licence,
  - (b) He/she resides in the premises, but is not employed there,
  - (c) He/she is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.



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## ENVIRONMENTAL HEALTH REPRESENTATION

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**From:** Buckingham, James

**Sent:** 11 July 2012 20:54

**Subject:** RE: Licensing Act 2003 variation 007826 received 27.06.2012 - Easterns Station Lounge, Sudbury CO10 2SS

Re: Proposed amendment to Annex 2, Condition 8 of the licence

I recall that the re-admission of patrons was prohibited, with the agreement of the current owner/management, to prevent groups of clients from standing around in the street outside the premises and also 'associating with' members of the public who were not clients. I understand that this led to issues with control and policing outside the premises. I would therefore support the Police if they were to object to this proposal.

Regards,

James Buckingham  
Corporate Manager - Environmental Protection  
Babergh & Mid District Councils - Working Together  
t: 01473 825880  
e: [james.buckingham@babergh.gov.uk](mailto:james.buckingham@babergh.gov.uk)  
w: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)