



East Suffolk House, Riduna Park, Station Road,
Melton, Woodbridge, Suffolk, IP12 1RT

Licensing Sub-Committee

Members:

Councillor Tony Cooper
Councillor John Fisher
Councillor Tony Goldson
Councillor Colin Hedgley (Reserve)

Members are invited to a **Meeting of the Licensing Sub-Committee** to be held in the Deben Conference Room, East Suffolk House, Melton on **Friday, 11 November 2022 at 9.30am**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at https://youtu.be/2eWLAynr_PE

An Agenda is set out below.

Part One – Open to the Public

Pages

-
- 1 Election of a Chairman**
To elect a Chairman for the Licensing Sub-Committee
 - 2 Apologies for Absence**
To receive apologies for absence, if any.

3 **Declarations of Interest**

Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.

4 **Declarations of Lobbying and Responses to Lobbying**

To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.

5 **Variation of Premises License, Engineers Arms, 7 Main Street, Leiston IP16 4ER ES/1339** 1 - 14

Report of the Licensing Officer

Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

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LICENSING SUB-COMMITTEE

Friday 11 November 2022

APPLICATION DETAILS

Type:	Variation – Premises Licence
Name of Applicant(s):	Darren and Anna Hadfield
Address of Applicant(s):	6 Crown Street, Leiston, IP16 4AX
Type of applicant (Premises Only):	Individuals
Name of Premises:	Engineers Arms
Address of premises:	7 Main Street, Leiston, IP16 4ER
Description of Premises:	Public House

EXECUTIVE SUMMARY:

- This is an application for a variation to an existing Premises Licence.
- The application seeks to extend the licensed times for the following licensable activities: Sale of alcohol for on and off the premises.

Is the report Open or Exempt?	Open
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Wards Affected:	Aldeburgh & Leiston
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Cabinet Member:	Councillor Mary Rudd, Cabinet Member with responsibility for Community Health
Supporting Officer:	Leonie Houlton Licensing Officer 01502 523624 Leonie.Houlton@eastssuffolk.gov.uk

1. PROPOSED LICENSABLE ACTIVITIES

Sale of alcohol – both on and off sales

Monday to Thursday	06:00 to 00:00
Friday & Saturday	06:00 to 00:30
Sunday	06:00 to 23:00

1.1 EXISTING LICENCED TIMES FOR ACTIVITIES

Sale of alcohol – both on and off sales

Monday to Thursday & Sunday	11:00 to 00:00
Friday & Saturday	11:00 to 00:30
Christmas Eve, All Bank Holidays and Bank Holiday Weekends	11:00 to 01:00

2. PROPOSED OPENING HOURS

Monday to Thursday & Sunday	06:00 to 00:00
Friday & Saturday	06:00 to 00:30
Sunday	06:00 to 23:00

2.1. EXISTING OPENING HOURS

Monday to Thursday & Sunday	11:00 to 12:30
Friday & Saturday	11:00 to 01:00
Christmas Eve, All Bank Holidays and Bank Holiday Weekends	11:00 to 01:00

3. OPERATING SCHEDULE

- 3.1 The following steps have been proposed in order to promote the four licensing objectives. These are proposals offered by the applicant and in their own words. Some submissions may already form part of the licence, as mandatory conditions; others may be re-worded by officers to form meaningful, enforceable conditions on the licence.

To keep all existing conditions, except those that are currently crossed out under Annex 2 of the existing premises licence. These will be removed. To also add these conditions.

General

Only to open for 4 hours to allow night shift workers drinks before bed.

Prevention of crime and disorder

Changing condition one to Challenge 25.

Public safety

To refuse the sale of alcohol to underage.

Prevention of public nuisance

Will be closing at 11am then reopening at 3pm to allow clearance and cleaning.

Protection of children from harm

No additional conditions.

A copy of the existing premises licence and the plan that accompanies the premises licence are attached as **Appendix A & A1**.

4. REASON FOR HEARING

4.1 One representation against the application has been received from an 'other person'.

4.2 A petition against the application has been received from local residents.

4.3 A representation against the application has also been received from Leiston-cum-Sizewell Town Council.

4.4 The applicant has been provided with a copy of these representations and these are attached as **Appendix B** for members of the Sub-Committee.

4.5 No representations against the application were received from Responsible Authorities.

4.6 Summary of grounds for representation:

The main concerns are the longer licenced hours in the early hours of the morning and the possibility that this could lead to increased noise and disturbance for local residents. As well as set a precedent for other local businesses in the town. Residents already experience significant disruption in the evenings around the weekend from people exiting local premises at closing time and are concerned that this would be repeated in the early hours of the morning as well.

The local Town Council also had concerns that the extended hours would encourage anti-social behaviour, as well as wishing to protect children from the sale of alcohol on the way to school; and concerns over the health and wellbeing of local residents.

5. POINTS FOR CONSIDERATION

5.1 In exercising its licensing functions, the Licensing Authority has stated in its licensing policy that it will primarily focus on the direct impact of the licensable activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the vicinity of the premises.

5.2 The attention of the Sub-Committee is drawn to the following:

- a) The Licensing Act 2003 Section 4 requires the Sub-Committee to have regard to:
 - Guidance Issued under Section 182 of the Licensing Act 2003.
 - The Council's Statement of Licensing Policy

If the Sub-Committee has reason to depart from the above it is asked to give full reasons for so doing.

- b) Human Rights Act 1998

The Human Rights Act 1998 came into force on the 2 October 2000. The Sub-Committee is urged to have careful regard of its provisions.

It is unlawful for a public authority (this expression includes local authorities) to act in a way which is incompatible with a human right.

As far as the applicant's right to a fair hearing is concerned (Article 6), the applicant has a right to be heard by the Licensing Sub-Committee. If this application is refused or granted subject to modification, the applicant has a right of appeal to the Magistrates' Court.

In assessing the impact of human rights, the Sub-Committee must seek to strike a balance between the right of the proprietors in the business to conduct it as they wish and local residents who may find its activities intrusive. In this context a business is a "possession" and the human right is expressed to be for the "peaceful enjoyment" of it. A rider to this human right empowers the Council to control the enjoyment of that business by its proprietors in the general interest. At the same time, local residents are entitled to the peaceful enjoyment of their homes.

- 5.3 The relevant notices about this hearing have been served on the applicant and other persons and they have until 4 November 2022 to confirm that they intend to attend, or not, as the case may be and give notice that they wish to call witnesses.

6. CONCLUSION

- 6.1 The applicant has been advised of the representations that have been made and there may be mediation between the applicant and the other persons before the hearing in order to achieve agreement. In the event that an agreement is not possible, the Sub-Committee will be asked to determine this application by:
- Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application and any condition which must be included in the licence in accordance with the Licensing Act 2003.
 - Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives (for example, by excluding a licensable activity or restricting the hours when a licensable activity can take place), and any condition which must be included in the licence in accordance with the Licensing Act 2003.
 - Rejecting the application.
- 6.2 If the decision reached by the Sub-Committee results in differences between the conditions attached to the licence and the planning permission currently in force for these premises, the applicant should be advised that the planning permission must be adhered to unless and until it is amended to reflect the conditions attached to the licence.
- 6.3 Depending on the decision of the Sub-Committee, the applicant and / or responsible authority and interested parties that have made representations have rights of appeal to the Magistrates Court.
- 6.4 When announcing its decision, the Sub-Committee is asked to state its reasons.

APPENDICES	
Appendix A	A copy of the existing premises licence
Appendix A1	A copy of the plan that accompanies the premises licence
Appendix B	Representations (private document for the Sub-Committee only)

BACKGROUND PAPERS
None

Licensing Act 2003

Premises Licence**PREM0127**

ES/1339

LOCAL AUTHORITY**Suffolk Coastal District Council**

East Suffolk House Riduna Park
Station Road Melton
Woodbridge
IP12 1RT

tel: 01394 444802

web: www.eastsuffolk.gov.uk

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION**Engineers Arms**

7 Main Street, Leiston, Suffolk, IP16 4ER.

Telephone 01728 830660 or 01728 635883 ?new number

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Friday and Saturday	11:00am	12:30am
	Sunday	8:00pm	11:00pm
	Non Standard Timings:		
	No more than 12 events in one calendar year		
F. Playing of recorded music (Indoors & Outdoors)	Monday to Thursday and Sunday	11:00am	Midnight
	Friday and Saturday	11:00am	12:30am
	Non Standard Timings:		
	Christmas Eve, All Bank Holidays and Bank Holiday weekends to 01:00.		
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Friday and Saturday	11:00am	12:30am
	Non Standard Timings:		
	No more than 12 events in one calendar year		
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Thursday and Sunday	11:00am	Midnight
	Friday and Saturday	11:00am	12:30am
	Non Standard Timings:		
	Christmas Eve, All Bank Holidays and Bank Holiday weekends to 01:00		



Licensing Act 2003
Premises Licence

PREM0127

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday and Sunday	11:00am	12:30am
Friday and Saturday	11:00am	1:00am
Non Standard Timings: Christmas Eve, All Bank Holidays and Bank Holiday weekends to 01:00		

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

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Darren Christopher Hadfield	Engineers Arms, 7 Main Road, Leiston, Suffolk, IP16 4ER.
Anna Hadfield [REDACTED]	Engineers Arms, 7 Main Road, Leiston, Suffolk, IP16 4ER.

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

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Darren Christopher HADFIELD	Engineers Arms, 7 Main Road, Leiston, Suffolk, IP16 4ER.
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PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PERS2257	Issued by Suffolk Coastal
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ANNEXES**Annex 1 - Mandatory Conditions****SUPPLY OF ALCOHOL**

Where a premises licence authorises the sale of alcohol, the licence must include the following conditions:

1. (1) No supply of alcohol may be made under the premises licence -

- At any time when there is no designated premises supervisor in respect of the premises, or
- At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**2. (1) 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.**

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises 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.**3. 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).****4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.****5. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy**

ANNEXES continued ...

applies to the premises in relation to the sale or supply of alcohol.

(2) 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.

6. 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

General Conditions

Conditions imposed by JUSTICE ON-LICENCE - Licensing Act 1964, S 59, 60 and 63

1. Alcohol shall not be sold or supplied except during permitted hours.

2. In this condition, permitted hours means:

- a. ~~On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11 a.m. to 11 p.m.~~
- b. ~~On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.~~
- c. ~~On Good Friday, 12 noon to 10.30 p.m.~~
- d. ~~On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.~~
- e. ~~On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.~~
- f. ~~On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.~~
- g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December).

3. The above restrictions do not prohibit:

- a. ~~the consumption of alcohol on the premises during the first 20 minutes after the above hours;~~
- b. ~~the taking of the alcohol from the premises (unless the alcohol is supplied or taken in an open vessel) during the first 20 minutes after the above hours;~~
- c. the consumption of the alcohol on the premises by persons taking meals there during the first 30 minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals;
- d. the consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
- e. the taking of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- f. the sale of alcohol to a trader or club for the purposes of the trade or club;
- g. The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- h. the taking of alcohol from the premises by a person residing there; or
- i. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

4. ~~No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:~~

- ~~a. He is the child of the holder of the premises licence.~~
- ~~b. He resides in the premises, but is not employed there.~~
- ~~c. He 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 not other convenient means of access or egress.~~



ANNEXES continued ...

- ~~— d. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.~~

~~In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals~~

General Conditions

1. The Licensee will ensure that an adequate and valid public liability insurance is in force and that a copy of the schedule is available for inspection by an authorised officer on request.
2. The Licensee will ensure that consumption of alcohol will be restricted to the areas identified on the plan attached to the operating schedule.

Crime and Disorder

1. The Licensee will implement the Portman Group proof of age policy.
2. The Licensee will ensure that all members of staff at the premises will seek PASS accredited proof of age cards, photo-driving licences or passports as proof of age evidence from any person who appears to be under the age of 18 and who is seeking to purchase or consume alcohol on the premises.
3. The Licensee will not adopt any drink promotion activities that undermine a policy of responsible drinking.
4. The Licensee shall implement a 'Strict No Drugs' Policy.

Public Safety

1. The Licensee will ensure that all exits and escape routes are clearly identified, kept free from obstruction and available for immediate use in the event of an emergency during licensable activities.
2. The Licensee will ensure that the edges of the treads of steps and stairways are maintained so as to be conspicuous.
3. The Licensee will ensure that the Fire Brigade is called immediately in the event of a fire, however slight, and the details recorded in a Fire Log-Book.
4. The Licensee will ensure that an adequate and appropriate supply of first aid equipment and materials are available on the premises.
5. The Licensee will ensure that outside lighting is provided and used during the hours of darkness when any form of licensable activity is taking place

Prevention of Public Nuisance

1. The Licensee will ensure an 'in-built noise-limiting device' is maintained to control the level of indoor live and recorded music.
2. The Licensee will provide and maintain signage on the premises requesting that patrons leave the area quietly.
3. The Licensee will ensure the premises are properly vented, and that noxious



ANNEXES continued ...

smells from the licensed premises are not permitted and cause a nuisance to nearby properties.

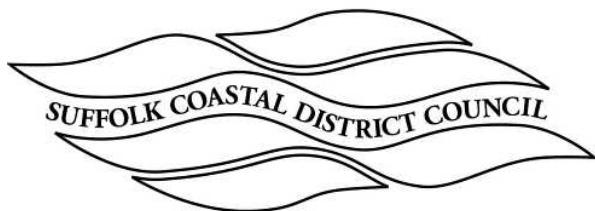
4. The use of the external patio area and beer garden as detailed on drawing number 2707/100/01 submitted with the above application for any licensable activity shall not be permitted after 23:30 hrs.
5. All windows and doors to the premises shall be kept closed at all times when amplified musical entertainment is taking place, other than for access and egress, and should be fitted with door closures.
6. The volume of the amplification system shall be strictly controlled so that noise levels are non intrusive at the boundaries of nearby residential properties.

Protection of children from harm

1. The Licensee will ensure that children under the age of 16 are accompanied at all times by an adult while they are on the premises.
2. The Licensee will not permit children under the age of 16 on the premises after 20:00 hrs, accept for Fridays and Saturdays for an additional hour.
3. The Licensee will closely monitor cigarette machine(s) & AWP's to ensure non-use by under-18s.

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

LOCAL AUTHORITY

**Suffolk Coastal District Council**

East Suffolk House Riduna Park
Station Road Melton
Woodbridge
IP12 1RT

tel: 01394 444802

web: www.eastsuffolk.gov.uk

Premises Details

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

Engineers Arms

7 Main Street, Leiston, Suffolk, IP16 4ER.

Telephone 01728 830660 or 01728 635883 ?new number

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

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	Christmas Eve, All Bank Holidays and Bank Holiday weekends to 01:00.		
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	Non Standard Timings:		
	Christmas Eve, All Bank Holidays and Bank Holiday weekends to 01:00		



THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday and Sunday	11:00am	12:30am
Friday and Saturday	11:00am	1:00am
Non Standard Timings:		
Christmas Eve, All Bank Holidays and Bank Holiday weekends to 01:00		

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

- J. Supply of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Darren Christopher Hadfield	Engineers Arms, 7 Main Road, Leiston, Suffolk, IP16 4ER.
Anna Hadfield	Engineers Arms, 7 Main Road, Leiston, Suffolk, IP16 4ER.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Darren Christopher HADFIELD

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

Children under the age of 16 must be accompanied at all times by an adult while they are on the premises.
Children under the age of 16 are not permitted on the premises Sunday to Thursday after 20:00hrs.
Children under the age of 16 are not permitted on the premises Friday and Saturday after 21:00hrs.



**LICENSING ACT 2003 – ANNEX 4 – PLAN
ENGINEERS ARMS LEISTON**

