



Licensing Sub-Committee

Members are invited to a **Meeting of the Licensing Sub-Committee** to be held in the Conference Room, Riverside, on **Friday, 05 April 2024 at 10:00 AM**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/gG3KlnfctcM?feature=share>.

Members:

Councillor Alan Green, Councillor Keith Robinson, Councillor Ed Thompson, Councillor Sarah Plummer (Reserve)

An Agenda is set out below.

Part One – Open to the Public

Pages

- 1 Election of a Chair**
To elect a Chair 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 New Premises Licence - The Mayfair, 18 Broad Street, Bungay, NR33 1EE ES/1911** **1 - 50**
Report of the Licensing Officer.

Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

Close



Chris Bally, Chief Executive

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LICENSING SUB-COMMITTEE

Friday 5 April 2024

APPLICATION DETAILS

Type:	New – Premises Licence
Name of Applicant(s):	The Mayfair Bungay Ltd
Address of Applicant(s):	The Mayfair, 18 Broad Street, Bungay, NR33 1EE
Type of applicant (Premises Only):	Company
Name of Premises:	The Mayfair
Address of premises:	18 Broad Street, Bungay, NR35 1EE
Description of Premises:	Café and Cellar Bar

EXECUTIVE SUMMARY:

- | |
|--|
| <ul style="list-style-type: none"> • This is an application for a new Premises Licence. • The application seeks to permit the following licensable activities: Live and recorded music, Dance, Films and Late night refreshment – all indoors only. On and off sales of alcohol. |
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Is the report Open or Exempt?	Open
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Wards Affected:	Bungay
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Cabinet Member:	Councillor Jan Candy, Cabinet Member with responsibility for Community Health
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Supporting Officer:	Leonie Houlton Licensing Officer 01502 523624 Leonie.Houlton@eastsoffolk.gov.uk
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1. PROPOSED LICENSABLE ACTIVITIES

1.1 Original licensable activities and times as on the application received on 9 February 2024.

Late night refreshment – indoors

Monday to Sunday 23:00 to 00:00

Live and recorded music, dance, and film – indoors

Monday to Sunday 12:00 to 00:00

Sale of alcohol – on and off sales

Monday to Sunday 10:00 to 00:00

1.2 New proposed licenced activities and times as proposed in the Management Plan and Nuisance reduction strategy submitted on 7 March 2024 and an agreed amendment that was submitted by the applicant on 8 March 2024. **Appendix C and D.**

Live and recorded music would no longer be required as a licensable activity as it would be permitted under deregulation if the premises is licenced for the 'on sales' of alcohol. Also, Late night refreshment has been removed as this is only a licensable activity between 23:00 and 05:00 Monday to Sunday.

Dance and film – indoors

Monday to Sunday 12:00 to 18:00 in the licenced café area.

Monday to Sunday 18:00 to 23:00 in the licenced cellar bar area

Alcohol – on and off sales

Monday to Sunday 10:00 to 18:00 in the licenced café area.

Monday to Sunday 18:00 to 23:00 in the licenced cellar bar area

2. PROPOSED OPENING HOURS

2.1 Original opening times as on the application received on 9 February 2024.

Monday to Sunday 10:00 to 00:00

2.2 Proposed opening hours as of 8 March 2024.

Monday to Sunday 10:00 to 18:00 in the licenced café area.

Monday to Sunday 18:00 to 23:00 in the licenced cellar bar area

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.

General

Training of staff to ensure compliance with the law in relation to consumption of alcohol to persons under 18 years of age, including prevention of adults buying alcohol for children.

Challenge 25 will be in operation.

Separating alcohol from children's area.

All staff to be trained in responsible alcohol retailing.

Any person who appears to be drunk or aggressive will not be permitted onto the premises.

A full evacuation plan in case of emergency.

Prevention of crime and disorder

The premises is a family friendly business attracting a demographic of 6months to 65+

No binge drinking promotions will take place.

Any person who appears to be drunk or aggressive will not be permitted entry.

No alcohol to be brought into or allowed to leave the premises unless in a sealed bottle.

Zero tolerance drug policy.

Public safety

All staff will be aware of current legislation, risk assessments and evacuation plans.

At least one member of staff on duty will be first aid trained.

All aspects of health and safety/fire safety will be adhered to.

A waste recycling program will be used to ensure bins are emptied and waste recycled accordingly.

Toilets and building will be cleaned daily, and property kept in good upkeep and condition.

Free water will be available at all times.

All structures will have the relevant risk, test certificates and suitable insurance.

Prevention of public nuisance

The Mayfair Building has had a schedule of opening times throughout different parts of the building to prevent nuisance to residents. Evening access in through a non-residential lane (Brandy Lane).

Front Shop open from 10am to 6pm and the rear bar area open 6pm to midnight.

No alcohol to be taken off site unless sealed.

Customers encouraged to leave quietly and not loiter on residential roads.

Good communication with the neighbours and the community to ensure a good working relationship and prevent the potential avoidable disturbances.

Protection of children from harm

Training of staff to ensure compliance with the law in relation to consumption of alcohol to persons under 18 years of age, including prevention of adults buying alcohol for children.

Under 18 years of age with a responsible adult Proof of Age will be required if someone appears to be under 18.

Child protection policy in place.

The covering letter and application form for this application are attached as **Appendices A and A1**. The accompanying plan is attached as **Appendix B**.

3.2 On 7 March 2024 the applicant submitted a Management Plan and Noise Reduction Strategy, which was written following conversations with the Environmental Protection Officer and those who had made representations.

This included some clarification on the times that certain areas of the premises will be

used as well as further detail on the soundproofing measures that will be implemented. It also mentioned the already agreed conditions from Suffolk Constabulary and the applicant provided further conditions to be considered as part of the application. This document was sent to all Responsible Authorities as well as those that had submitted objections. This document is attached as **Appendix C** to this report.

4. REASON FOR HEARING

4.1 Twenty-five representations in support of the application have been received from other persons.

4.2 Three representations against the application have been received from other persons.

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

4.4 One representation was received 4 days after the date for the end of consultation. This was from Bungay Town Council. The Licensing Team has accepted this representation based on the case of Belfast City Council v Miss Behavin' Ltd. The Miss Behavin' case should be applied to late representations in cases where at least one relevant representation was received within the 28 day consultation period so that all relevant information can be taken into account by the Sub-Committee in arriving at its decision. The representation is attached at **Appendix H**.

4.5 One representation was received from Suffolk Constabulary. However, following correspondence between Suffolk Constabulary and the applicant, the following conditions have been agreed and the police have now withdrawn their objection:

1. A Challenge 25 policy will be implemented requiring all customers who appear to be under the age of 25 to produce photographic identification in the form of a passport, driving licence or proof of age scheme (PASS) approved identification, before alcohol can be supplied or sold to them. All staff will be instructed, through training, that alcohol cannot be supplied or sold unless valid identification is produced. The premises licence holder shall ensure that notices are prominently displayed in the premises to advise patrons and staff that a 'Challenge 25' scheme operates in the premises.
2. All staff engaged in the sale of alcohol will be trained in Responsible Alcohol Retailing on commencing employment at the premises. This training can be administered in-house by the DPS. Training records shall be kept on the premises and produced to the Police/Local Authority on request. Training will be reviewed every 6 months to ensure that staff are up to date with the latest legislation and their training records endorsed accordingly.
3. A log will be kept at the premises, recording any significant incidents or any refusal of the sale of alcohol. It will be made available to an authorised officer of the Police or Council on request. It must be completed within 24 hours of the occurrence and must record: a) the date and time of the incident or refusal, b) names of staff and persons involved (if known), c) detail of incident or refusal. Incidents to be recorded should include (but not be limited to) – any crime or disorder, injuries to staff or customers, refusal of the sale of alcohol, ejections, banning of customers, seizures of drugs/weapons, or any visit by relevant authorities or emergency services, and the purpose of the visit.

4. A CCTV and associated recording system shall be installed and maintained. CCTV shall cover all areas of the premises open to the public, including entry and exit points, and must be capable of providing images of quality sufficient to support facial identification. The system must always operate during hours of licensable activity and/or when customers are on the premises. Equipment must be maintained in good working order, be correctly time and date stamped, and recordings must be kept for a period of 30 days. The Premises Licence Holder must ensure a DPS or appointed member of staff, able to operate the CCTV system is always present when the premises are open to the public. That person will show video to Police or an Authorised Officer with minimum delay when requested. A download of CCTV video in a viewable format on disc or storage device will be provided to the Police or an Authorised Officer as soon as possible, and in any case within 36 hours of the request. The CCTV system will be regularly checked to ensure that it is functioning correctly.
5. CCTV capable of complying with the above condition will cover the area outside the venue and will include the area adjacent to Brandy Lane.
6. No open containers of alcohol whether bottles or drinking vessels may be taken outside the premises at any time by customers.

4.6 East Suffolk Council Environmental Protection Team did provide documentation stating that they would not be objecting to the application. **Appendix G.**

4.7 No representations against the application were received from any of the other responsible authorities.

4.8 Summary of grounds for representations of objection:

There have already been problems with noise when the premises opened over Christmas 2023. Planned opening over Christmas was cancelled because the East Suffolk Council Environmental Protection Team raised concerns and objected to the Temporary Event Notice that had been submitted.

The objection was because levels of noise which would be classed as a nuisance had been observed by the Environmental Protection Team on 15 December 2023 – during which time a Temporary Event Notice was in place. There was no amplified or acoustic music being played at the time of the visit. Likely that these noise nuisances from conversational/general operational noise let alone music will continue.

People spilling out onto the street and the general noise and nuisance this was likely to bring in a predominantly residential street.

Intoxicated patrons congregating outside the entrance both in Broad Street and Brandy Lane. This was intimidating to walk through Brandy Lane. There was also cigarette butts, vomit, and urination. This was raised with the applicant, but no action was taken. Concerns that this would continue along with other anti-social behaviour.

The new entrance/exit will likely lead to further noise problems as they are located near to residential properties.

4.9 Summary of grounds for representations of objection following the proposed amendments:

People would now also be accessing the building from new entrances which will lead to noise issues for local residents. The new entrance/exit is located on a narrow alleyway, which has

residential properties directly nearby and that noise could continue until late into the evening.

Although the amended times/conditions were welcomed they did not address the previous concerns. Many were left unresolved and therefore, they welcomed the hearing so that the application could be considered then.

Many of these proposed measures, especially for prevention of noise nuisance were dependant on planning permissions being granted. Unsure how this would therefore be enforceable on any premises licence that may be granted.

It did not appear that cleaning of Brandy Lane had been undertaken by the premises over the period that they were open.

If lighting was provided in Brandy Lane that this could encourage customers to congregate around these lights whilst smoking and the possibility of light pollution as well.

4.10 Summary of grounds for supporting representations:

When the premises has been open, especially over Christmas it was a pleasant and friendly place to visit. It catered well for everyone.

The benefits of having this premises in Bungay as a place to visit outweighed the possible negatives.

Bungay needed something like this and that it will be an asset to the town.

Those that lived close to the premises also stated that they had not noticed any notable disturbances during the times it was open over the previous Christmas period.

The applicant and DPS have a lot of experience in running licenced premises/events and would be able to control any potential issues.

The premises should be given a chance.

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 27 March 2024 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	Covering letter
Appendix A1	Application form
Appendix B	A plan of the premises
Appendix C	Management Plan and Nuisance reduction strategy provided on 7 March 2024
Appendix D	Email confirming change of times provided on 8 March 2024
Appendix E	Representations in Support (private document for the Sub-Committee only)
Appendix F	Representations in Objection (private document for the Sub-Committee only)
Appendix G	Environmental Protection Representation
Appendix H	Late representation from Bungay Town Council

BACKGROUND PAPERS	
None	

Covering note for 18 Broad Street

Silas Rayner - Tel: 07910691483

08th Feb 2024

**ABOUT THE BUILDING – From Historic England Listing**

Early C19 front with mock half-timber, roughcast, moulded stringcourse, but original modillion eaves cornice. Slate roof, hipped. 4 1st floor sash windows now with centre glazing bars only. Formerly with 4 full-height pilasters. 6-panel door replaced by modern door. 1876 remodelling, of earlier structure which escaped the 1688 fire, exposed a fireback with rose portcullis. 3 fleurs-de-lys, 3 lions and part of the Order of the Garter was found, also a window with date 1400. At rear is a C18 structure with a central elliptical brick bay, sash windows with flat arches. Under part of the building which has been a wine merchants for a long period are extensive barrel vaulted cellars of considerable age.

INTRODUCTION

Mr and Mrs Rayner have taken on the lease for part of 18 Broad Street, formally an off licence, now known as The Mayfair. They propose to run a licensed café from the front half of the shop between the hours of 10am and 6pm. From 6pm until midnight they propose to carry on activities in the rooms to the rear. These rooms are vaulted as mentioned in the Historic England listing. This will reduce sound disturbance towards the front of the building. Customers will then leave The Mayfair from the proposed re-opened side entrance. The 2 areas will be divided with a stud wall with sound insulation

Previous opening -

The Mayfair opened for 2 weeks on the lead up to Christmas 2023, running on TENS applications. The premises was extremely well received by the community however the immediate neighbours were impacted by atmospheric noise from the general chatter from customers, people outside the front and the repeated opening and closing of the door. This led to an environmental health officer visiting the property and deeming the noise unreasonable in the evening hours.

We have come up with the plan as outlined in this document to mitigate the noise propagation from The Mayfair into the property. The Mayfair is a family run project and we need to get open as soon as possible to prevent further unsustainable losses from remaining closed. I am proposing to open once licenced with the first half of the building (10am – 6pm) and once the work has been completed we will open beyond 6pm in the rear of the building.

We have an open line of communication with the neighbours and can discuss issues and review the effectiveness of the plan once open

LOCATION

All external alterations are proposed along the south-east elevation.



Proposed position for accessible entrance door. It appears there is evidence of a former opening here.

Some flooring will need to be removed behind this opening to allow for the accessible entrance.



This is the space under the floor at the point of the proposed re-opening of the accessible entrance.



Proposed position for entrance doors to storage area. Evidence of a former opening here.



Proposed position for entrance door to warehouse. Evidence of a former opening here.

Two studwork walls have been removed but it is intended that these be partially replaced.



The partial replacement of the stud walls will be under these two existing beams. The pillars are temporary and only decorative.

ACCESS

The main entrance to the café will be through the existing entrance to the front. Currently, the only other means of escape is through the double doors at the far end of the building on Nethergate Street. Three new access points are proposed along the south-east side onto Brandy Lane allowing safe egress in the case of emergency, aiding in the delivery of stock and the use of the warehouse. Broad Street is in the centre of the busy market town of Bungay with its many facilities: shops, pubs, restaurants, schools, library and arts centre, etc. The alterations will comply with Part M of the Building Regulations. The relevant policy will be taken into consideration to ensure, amongst other things, ‘safe access to and egress from the site’.

SCALE AND AMOUNT OF DEVELOPMENT

The scale of the building will not be altered. The amount of development proposed for a café/bar makes allowances for modern day dining/socialising and the need to comply with minimum standards for Building Control.

VISUAL APPEARANCE AND DESIGN

The proposed accessible entrance will be a fully glazed door with a full-length side window. The proposed delivery doors and door to warehouse will be timber ledge and brace.

USE - The Mayfair will be open to the general public.

Application for a premises licence to be granted 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 The Mayfair Bungay LTD
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
18 Broad Street			
Post town	Bungay	Postcode	NR35 1EE

Telephone number at premises (if any)	07910691483
Non-domestic rateable value of premises	£ 4700

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as appropriate**

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i	as a limited company/limited liability partnership	Y please complete section (B)
	ii	as a partnership (other than limited liability)	please complete section (B)
	iii	as an unincorporated association or	please complete section (B)
	iv	other (for example a statutory corporation)	please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

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Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

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

Name The Mayfair Bungay LTD
Address 18 Broad Street Bungay NR35 1EE

Registered number (where applicable) 15330277
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Liability Company
Telephone number (if any) 07910691483
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	5	032024

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1) The premises at No.18 Broad Street is a long thin building with entrances on Broad Street and Nethergate Street. Its an old wine shop / store and is a quirky building with the majority a brick cellar arch construction.

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

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What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	Y
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)	Y
f)	recorded music (if ticking yes, fill in box F)	Y
g)	performances of dance (if ticking yes, fill in box G)	Y
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	Y
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	Y

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	y
Day	Start	Finish		Outdoors	
				Both	
Mon	12.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	12.00	00.00		We would like to be able to play film as part of art exhibitions and host a weekly children's film club. Film will NOT form part of our main use	
Wed	12.00	00.00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	12.00	00.00			
Fri	12.00	00.00	<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> (please read guidance note 6)		
Sat	12.00	00.00			
Sun	12.00	00.00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<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> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	y
Day	Start	Finis h		Outdoors	
				Both	
Mon	12.00	00.00	<u>Please give further details here</u> (please read guidance note 4) There is not a large performance space - Live music will likely be acoustic style low amplified. The cafe is a social space rather than venue		
Tue	12.00	00.00			
Wed	12.00	00.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	12.00	00.00			
Fri	12.00	00.00	<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> (please read guidance note 6)		
Sat	12.00	00.00			
Sun	12.00	00.00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	y
Day	Start	Finish		Outdoors	
				Both	
Mon	12.00	00.00	<u>Please give further details here</u> (please read guidance note 4) Background music for behind the bar, also ability to have low key DJ music for birthday parties and special events		
Tue	12.00	00.00			
Wed	12.00	00.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	12.00	00.00			
Fri	12.00	00.00	<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> (please read guidance note 6)		
Sat	12.00	00.00			
Sun	12.00	00.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	y
Day	Start	Finish		Outdoors	
				Both	
Mon	12.00	00.00	<u>Please give further details here</u> (please read guidance note 4) Current plan is for a once a month flamenco dance show, dance will not form part of our main activities		
Tue	12.00	00.00			
Wed	12.00	00.00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	12.00	00.00			
Fri	12.00	00.00	<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> (please read guidance note 6)		
Sat	12.00	00.00			
Sun	12.00	00.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	y
Day	Start	Finish		Outdoors	
				Both	
Mon	23.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23.00	00.00			
Wed	23.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23.00	00.00			
Fri	23.00	00.00	<u>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</u> (please read guidance note 6)		
Sat	23.00	00.00			
Sun	23.00	00.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises		
Day	Start	Finish		Off the premises		
Mon	10.00	00.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	Y	
Tue	10.00	00.00				
Wed	10.00	00.00				
Thur	10.00	00.00		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 6)		
Fri	10.00	00.00				
Sat	10.00	00.00				
Sun	10.00	00.00				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Louise Render
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	1101
Issuing licensing authority (if known)	South Norfolk

K

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	10.00	00.00	<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> (please read guidance note 6)
Tue	10.00	00.00	
Wed	10.00	00.00	
Thur	10.00	00.00	
Fri	10.00	00.00	
Sat	10.00	00.00	
Sun	10.00	00.00	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Training of staff to ensure compliance with the law in relation to consumption of alcohol to persons under 18 years of age, including prevention of adults buying alcohol to children. Challenge 25 Separating alcohol from children's area
All staff to be trained in responsible alcohol retailing
Any person who appears to be drunk or aggressive will not be permitted onto the premises
A full evacuation plan in case of emergency
Free drinking water will be available at all times

b) The prevention of crime and disorder

The premises is a family friendly business attracting a demographic of 6months to 65+
No binge drinking promotions will take place
Any person who appears to be drunk or aggressive will not be permitted entry
No alcohol to be brought into or allowed to leave the premise unless in a sealed bottle
Zero tolerance drug policy

c) Public safety

All staff will be aware of current legislation, risk assessments and evacuation plans.
at least one member of staff on duty will be first aid trained
All aspects of health and safety/fire safety will be adhered to
A waste recycling program will be used to ensure bins are emptied & waste recycled accordingly.
Toilets and building will be cleaned daily and property kept in good upkeep and condition
Free water will be available at all times
All structures will have the relevant risk, test certificates and suitable insurance.

d) The prevention of public nuisance

The Mayfair building has had a schedule of opening times throughout different parts of the building to prevent a nuisance to residents. Evening access is through a non residential lane (Brandy Lane)

Front shop open from 10am - 6pm and rear bar area open 6pm - midnight

No alcohol to be taken off site unless sealed.

Customers encouraged to leave quietly and not to loiter on residential roads

Good communication with the neighbours and the community to ensure a good working relationship and prevent the potential avoidable disturbances

e) The protection of children from harm

Training of staff to ensure compliance with the law in relation to consumption of alcohol to persons under 18 years of age, including prevention of adults buying alcohol to children.

Under 18 years of age with a responsible adult Proof of age will be required if someone appears to be under 18.

Child protection policy in place

Checklist:

Please tick to indicate agreement

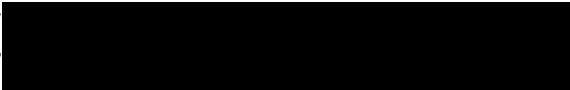
•	I have made or enclosed payment of the fee.	y
•	I have enclosed the plan of the premises.	y
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	y
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	y
•	I understand that I must now advertise my application.	y
•	I understand that if I do not comply with the above requirements my application will be rejected.	y
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	30.01.24
Capacity	Owner

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

PRIVACY NOTICE.

The information you have supplied is being collected in accordance with the Licensing Act 2003, and will be used for processing your application for a licence under the Act. Your information will not be used for any other purpose and will not be shared with any other third parties, unless permitted by law.

Your information will be retained until a period of 6 years after the expiry of the licence; this is in line with the Limitations Act 1980 (section 2).

Data will be processed and held securely and in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018 (and any updates).

Further information about data protection can be found on the East Suffolk Website: www.eastsuffolk.gov.uk/assets/Your-Council/Access-to-Information/Privacy-Notices/Licensing-Privacy-Notice.pdf

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
- 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:
 - 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.
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please 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.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please 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 or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

- A licence may not be issued to an individual or an individual in a partnership which is not a limited liability 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 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 the right 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 which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 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).

Home Office online right to work checking service.

As an alternative to providing a copy of original documents, 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 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, 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.

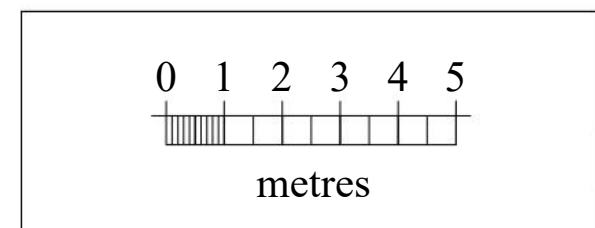
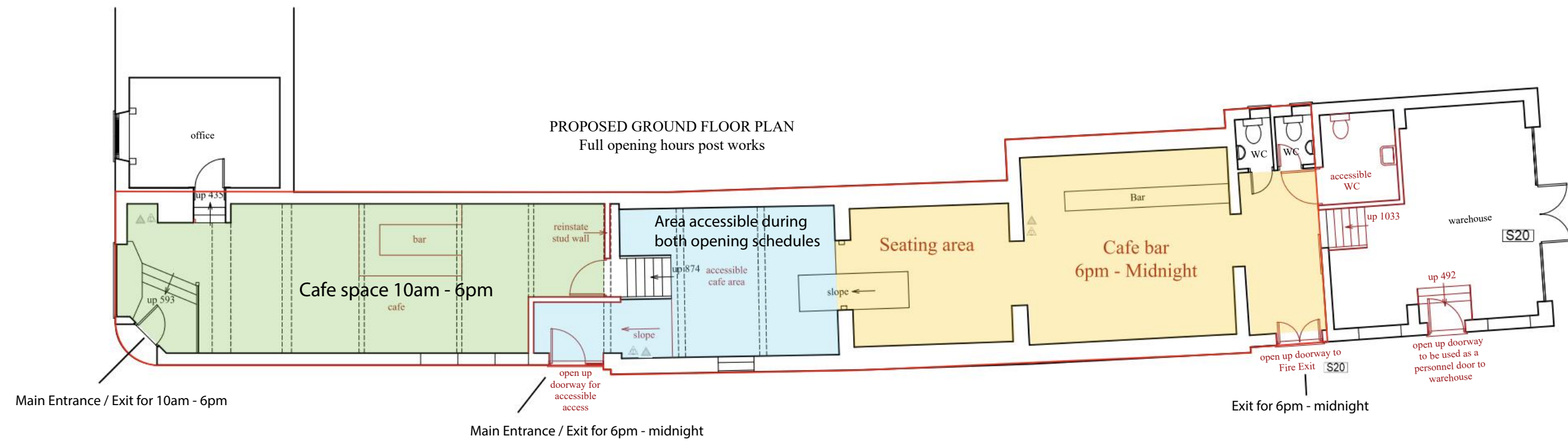
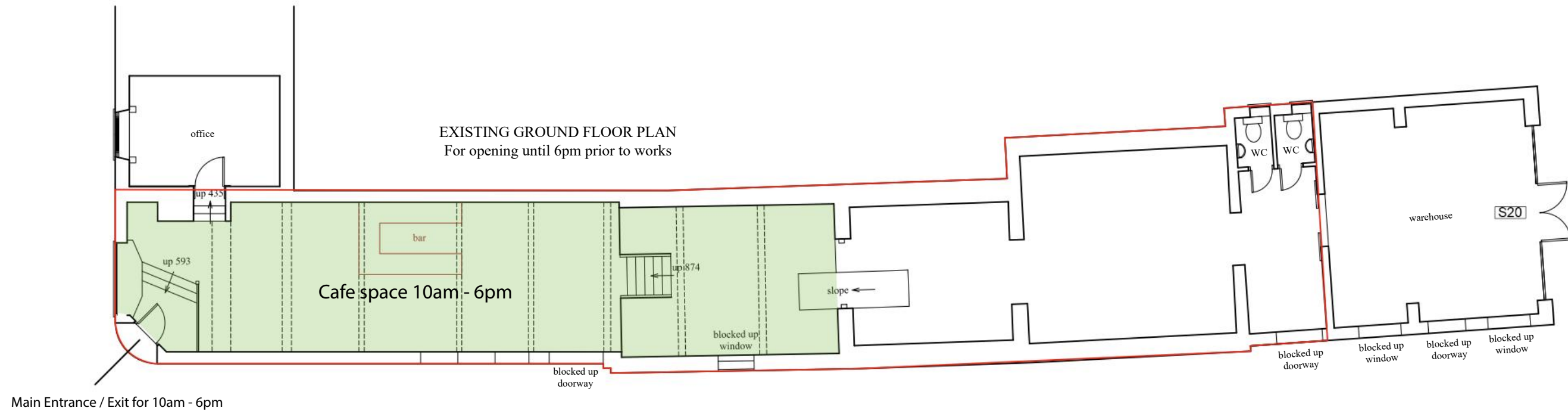
An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service.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

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.



Licensing@eastsoffolk.gov.uk
Tel. 01394 444802

Agenda Item 5
ES/1911



Alison Brooks
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Tel: 01986 874398 Mob: 078 333 55 388 Email: alibrux@aol.com

Silas and Daisy Rayner
The Mayfair, 18 Broad Street, Bungay NR35 1EE

SCALE 1:100 | AB 4 - 24.01.2024

The Mayfair Bungay

Management Plan and Nuisance reduction strategy

Related to new Premises License Application

Version 1 – Written by Silas Rayner 27.02.2024

Introduction

The purpose of this document is to put into writing measures discussed during the consultation of the license application for The Mayfair Bungay. The premises opened on a TENS for two weeks before Christmas 2023 and some issues were created from the operations in the current form. This document's purpose is to mitigate and eliminate the issues and ensure the business can run its activities whilst not adversely affecting the immediate residents and achieving all the licensing objectives.

Contents

1. Operating Schedule
2. Staff training
3. Environmental Impact
4. Noise Reduction
5. Music
6. Crime and Disorder
7. Summary

1. Operating Schedule

The Mayfair will operate within 2 distinct time frames as outlined below. The reason for separating the operating times is to limit the impact from noise propagating internally from the front café space into the flying freehold above the front 5m of the property. This will also be the only opening hours of the premises until works have been undertaken to insulate the rear of the building and open up a new entrance onto Brandy Lane which is the non-residential lane running alongside the premises properly sound.

Licensed Café – 10am – 6pm

During these hours The Mayfair will be accessed from the front door on Broad Street and all activities will take place in the first 2 rooms of the building. The new entrance onto Brandy Lane will enable the premises to be disabled friendly and that second room will be an accessible café space with extra tables for seating.

Should any of the licensable activities regarding music or performance take place this is where the activities will be focused. HOWEVER there are no plans for live or recorded music to take place in the shop at this time. Should this activity be planned to happen it will only happen once we are confident that the activities does not cause an unreasonable disturbance to neighboring residents.

Define: Unreasonable – Ideally a discussion between The Mayfair and the affected party will determine if the activity is unreasonable. The key to this is communication, should there a joint decision not be reached then it will be grounds for the EV (Council) team to make an assessment.

During the opening hours the adjoining door to the office space which is a shared wall with Oxnead – our neighbour, will remain closed and staff are to be trained to ensure it is always closed. A lock will be installed to ensure the accidental opening is not possible.

Sound insulation may be required to keep the noise within the front shop space depending on the effect on the neighbors with the daytime opening hours.

After 6pm this part of the building is NOT accessible to the public.

Licensed Cellar Café – 6pm – Midnight (11pm Sunday Close)

This is the activities being moved into the middle and rear of the premises, this area would not be open until the planned work is undertaken subject to listed building consent. The works consist of new entrances opened to avoid the Broad Street or Nether gate street entrance nearest to residents being used. It also means constructing a soundproof partition wall that separates the space.

The Cellar Café is accessible via the first new Brandy Lane entrance, here the space offers everything available in the front part of the shop but completely isolated from the Broad Street end. The construction of the build here is more sympathetic to noise containment and does not adjoin any bedrooms with neighbors.

There are not plans to host music events in this space. We would like to be able to have amplified comedy, poetry and simply performances that do not involve drum kits or excessive amplification. However, the same condition applies that this activity will not take place should it interrupt and cause unreasonable disturbance to residents.

2. Staff Training

The adequate training of staff is vital to ensure management plans are put into practice and that the activities of staff, customers or anyone involved does not undermine the license objectives. All staff will be subject to training and will be required to read the management plan, risk assessment and be made aware of how to promote the license objectives this includes -

Refusal to serve or admit intoxicated individuals – Promoting the license objectives and preventing antisocial and nuisance behavior

Challenge 25 policy

Keeping doors closed and the isolation of certain areas – Such as the office door, the partition door and the warehouse door in order to prevent noise propagation from the serving areas

Information regarding smoking outside & leaving the premises late night – (Repeat offenders of any anti-social behavior will be banned)

Cleaning rota – including the pavement and alley outside

Communication between staff, management and residents – How to keep a clean line open

Noise reduction – both from music and no music sources

3. Environmental Impact –

The Mayfair takes seriously its responsibility to recycle and dispose of waste in a responsible . We will separate Glass, Dry Recyclable & Landfill – these will be disposed of via a private waste collection service.

Customers will be encouraged to leave their waste on tables for us to clean quickly and efficiently. Outside the premises there is the potential for pollution from cigarettes, rubbish, vomit or urination – The Mayfair accept responsibility for cleaning up the immediate area on Broad Street and the entire Brandy Alley. Whether the pollutant is caused by Mayfair customers or not, it is deemed impossible to be able to identify the source of pollutants but since we also have a vested interest in the care and upkeep of the outside space in make sense for us to assume the responsibility.

Outdoor cigarette bins will be provided and maintained, as well as adequately lit

We will not provide seating, surfaces or anything that encourages customers to spend time outside longer than the time to smoke a cigarette.

Signage asking customers to not make excessive noise whilst outside, entering or exiting will be placed at strategic positions

4. Noise Reduction –

Key notes

From discussions with neighbors, EV team and past experiences there are key elements to noise reduction that are vital to the running of The Mayfair. We have a flying freehold room above the front of the property that is used as a spare bedroom. The main part of the front of the shop shares structure elements with the adjoining residential property that runs down the left hand side. The property does have a very narrow extension that continues further, the construction of the building here is brick arched cellars. From consultation with an acoustics expert most or all of the noise transference is coming from the front of the shop. There are also toilets that have sealed windows that face the neighboring garden.

The rear of the building has a dividing wall between the arched cellar room and the warehouse, at the rear of the warehouse there is Nethergate Street and a neighbor facing the rear door. It is very important not to allow noise to propagate out of the rear and cause disturbance to this property.

1. The reason the business has been divided into separate running hours is to move the activities post 6pm from the front of the building to the middle where the noise can be contained from disturbing the flying freehold and the adjoining neighbor.

2. New entrances (Subject to listing building consent) will be opened up onto Brandy Lane which brings post 6pm access away from Broad Street.
3. A new internal sound proof wall (Designed by acoustic design consultants) will be constructed between the front shop and evening rooms. This wall is a floating style separation twin wall construction that does not allow sound transfer from one area to the other.
4. Sound proof doors will be installed both at the partition wall and the new entrances onto Brandy lane as well as between the evening serving room and the warehouse at the rear.
5. A floating sound protective ceiling will be added to the shared room between the spaces – this is to protect sound from travelling into the roof space above and transferring into the narrow extension previously mentioned.
6. The toilet windows will be sound proofed (To consultant specifications) and covered to prevent noise transfer and unpleasant aromas from entering the neighboring garden, extraction fans will be re routed as to not blow air from here into the garden
7. The rear warehouse doors will be better fitted and air gaps covered to add protection from noise propagation.
8. Post 6pm the Front Shop will not be accessible to public, the door will remain closed and locked. This also applies to the warehouse door.
9. All doors will on automatic close mechanisms to prevent them being accidentally left open.
10. During the 10am to 6pm period the office door will be kept closed at all times, the main access door will be fitted with anti slam and gasket to prevent 'loud banging' from its use
11. The 2 new doors closest to Nethergate Street are emergency exits only for public. The warehouse door is for staff access only.
12. Appropriate signage will be used where needed to ensure all users of the building, customers and staff are aware of the requirements

With all the points above – The Mayfair accepts responsibility to make further improvements if any of the above elements prove not full successful in their application. We also are very open to making new improvements if there are identified problems that are not yet known

5. Music

IMPORTANT - The Mayfair will not host any live music until the effectiveness of the noise reduction measures are known. This also includes any form of recorded music that forms the basis of 'entertainment' that forms the main reason of an activity (DJ). After this any form of musical entertainment will only be hosted once we are sure that there will be no noise disturbances beyond what would be considered reasonable by the EVP team.

The Mayfair is a place for people to chat, the building does not suit live full band performances, drum kits or DJ sound systems. The space is simply not big enough. If entertainment in the form of music takes place only after the above mentioned conditions then a wall mounted DB monitor will be used at both ends of the building to ensure that it will not breach a predetermined level that will be set with the acoustic consultant once the noise mitigation methods have been put in place.

The Mayfair will not hold any irresponsible events and any form of activity that creates 'noise / volume' will adhere to the same conditions

For detailed information refer to the data sheet from the noise consultant (To Be supplied) as well as a Noise management plan

6. Crime and disorder

1. A Challenge 25 policy will be implemented requiring all customers who appear to be under the age of 25 to produce photographic identification in the form of a passport, driving licence or proof of age scheme (PASS) approved identification, before alcohol can be supplied or sold to them. All staff will be instructed, through training, that alcohol cannot be supplied or sold unless valid identification is produced. The premises licence holder shall ensure that notices are prominently displayed in the premises to advise patrons and staff that a 'Challenge 25' scheme operates in the premises.

2. All staff engaged in the sale of alcohol will be trained in Responsible Alcohol Retailing on commencing employment at the premises. This training can be administered in-house by the DPS. Training records shall be kept on the premises and produced to the Police/Local Authority on request. Training will be reviewed every 6 months to ensure that staff are up to date with the latest legislation and their training records endorsed accordingly.

3. A log will be kept at the premises, recording any significant incidents or any refusal of the sale of alcohol. It will be made available to an authorised officer of the Police or Council on request. It must be completed within 24 hours of the occurrence and must record: a) the

date and time of the incident or refusal, b) names of staff and persons involved (if known), c) detail of incident or refusal. Incidents to be recorded should include (but not be limited to) – any crime or disorder, injuries to staff or customers, refusal of the sale of alcohol, ejections, banning of customers, seizures of drugs/weapons, or any visit by relevant authorities or emergency services, and the purpose of the visit.

4. A CCTV and associated recording system shall be installed and maintained. CCTV shall cover all areas of the premises open to the public, including entry and exit points, and must be capable of providing images of quality sufficient to support facial identification. The system must always operate during hours of licensable activity and/or when customers are on the premises. Equipment must be maintained in good working order, be correctly time and date stamped, and recordings must be kept for a period of 30 days. The Premises Licence Holder must ensure a DPS or appointed member of staff, able to operate the CCTV system is always present when the premises are open to the public. That person will show video to Police or an Authorized Officer with minimum delay when requested. A download of CCTV video in a viewable format on disc or storage device will be provided to the Police or an Authorized Officer as soon as possible, and in any case within 36 hours of the request. The CCTV system will be regularly checked to ensure that it is functioning correctly.

5. CCTV capable of complying with the above condition will cover the area outside the venue and will include the area adjacent to Brandy Lane.

6. No open containers of alcohol whether bottles or drinking vessels may be taken outside the premises at any time by customers.

7. Sufficient lighting will be provided on entrances and exits onto Brandy lane

7. Summary

The Mayfair takes its responsibility to operate effectively whilst maintaining and promoting the license objectives. We will not operate an activity that knowingly causes distress to residents of Bungay and will make best endeavors to quickly resolve any issues that may arrive. We are confident that the business will be a benefit to the town and be able to run harmoniously without our location and situation.

A full Health and Safety risk assessment & Independent fire risk assessment / management plan will be in place and agree before opening. These documents will be provided upon request

We are able to be contacted by these methods and will respond promptly

Main Contact – Silas Rayner, owner & license holder 07910691483 / silasrayner@gmail.com

Co-owner & Manger – Daisy Rayner – 07476 859168 / [Camilla Daisy@icloud.com](mailto:Camilla_Daisy@icloud.com)

DPS – Louise Render – 07895 712243 / louise.firewater@gmail.com

Leonie Houl

~~ES/1911~~

From: Silas rayner <silasrayner@gmail.com>
Sent: 08 March 2024 10:43
To: Licensing; Jason Williams
Subject: Mayfair license running times amendment

Categories: LH

Dear licensing and Jason. Following a discussion recently I would like to ammend the opening hours for the Mayfair, reducing the evening from midnight close to 11pm across all days

I know this is the last day so all department may not see this however EV team has advised me this would be best given the current situation and environment we are operating in.

Apologies for the extra admin

Best

Silas

Click [here](#) to report this email as spam.

Date Received: 12.02.2024
Our ref: 24/01261/LICCON

Responded:11.03.2024
ORJW

ES/1911

Your Ref:

RE: 18 Broad Street, Bungay, Suffolk, NR35 1EE,
Please Find attached application for a new premises licence and supporting documentation.

The Mayfair Bungay LTD
18 Broad Street
Bungay
Suffolk
NR35 1EE

End Consultation 11th March 2024

Thank you for your consultation regarding the above application. The Environmental Protection Team's comments are given below.

I can confirm that discussions have been held between the Environmental Protection team (EP) and Mr Silas Rayner, co-applicant for this development.

The premises itself was the subject of complaints of noise nuisance in December of 2023 following its use as a public house under Temporary Event Notices (TENs) issued by the East Suffolk Council Licensing Authority. Investigation of these complaints resulted in the witnessing of noise by Environmental Protection Officers that unreasonably affected the use of residential bedrooms, not connected with the business, immediately above the front bar of the premises (a 'flying' freehold). As it was deemed by EP that no reasonable noise mitigation measures were possible in the short-term to protect the amenity of those in the adjacent dwelling, a representation was raised with the Licensing team, objecting against the granting of further TENs.

Following these events, EP has visited the premises on two occasions at the request of the applicants to discuss potential internal alterations to allow future use as a public house. Following these visits and further discussions, it is the opinion of EP that it would be possible, subject to satisfactory building works, to conduct licensed activities without a return to the unreasonable disturbance as previously experienced.

On the matter of building works, it should be noted that the applicant is in the process of seeking consent from East Suffolk Council Planning and Building Control for a change of use to a licensed café/drinking establishment (DC/24/0590/FUL). EP have been consulted on this application and are, at the time of writing, currently seeking to ensure that if consent is granted, sufficient internal works are undertaken to protect neighbouring properties and those in the vicinity against unreasonable noise. Conditions will be recommended by EP requiring noise testing and validation to be undertaken to the satisfaction of EP prior to first use.

Regarding the sharing of a party wall with neighbouring residential premises, I am mindful that the granting of a premises license will introduce a new potential noise source. While sharing a party wall is certainly not ideal in this situation, it is not uncommon in the general built environment and cafes/public houses and

residential premises co-exist without undue disturbance to residents. Accordingly, EP cannot object to this application solely on the basis of sharing a party wall.

Environmental Protection did not witness unreasonable noise in ground floor rooms while investigating the previous complaint although amplified music was not part of the entertainment. While the potential exists for noise complaints to arise in any premises where amplified music is permitted, if noise complaints do arise, EP are of the opinion that it is possible to implement suitable measures to reduce noise transfer via the control of music levels or the installation of adequate/additional sound insulation.

The applicant has submitted a comprehensive narrative and management plan in respect of the prevention of public nuisance. It is the opinion of the Environmental Protection Team that, if implemented and observed, this plan is suitable and sufficient in term of its scope to effectively manage noise created by regulated entertainment within the premises.

To reduce the potential impact of the night-time environment, at the request of Environmental Protection, the applicant has also agreed to amend the opening times to finish at 23:00

EP would therefore raise no objection representation to this application, subject to an amendment to the finishing times from 00:00 hours to 23:00 hours and the contents of the management plan being attached to any approval granted.

Informative

Notwithstanding the above, it should be noted that Environmental Protection retain powers under s.79 of the Environmental Protection Act 1990 and s.43 of the Anti-Social Behaviour, Crime and Policing Act 2014 to seek the abatement of any unreasonable noise issues that may arise through the use of the premises that cannot be resolved through informal means.

Regards,
Environmental Protection

Leonie Hoult**ES/1911**

From: Town Clerk <clerk@bungaytowncouncil.gov.uk>
Sent: 15 March 2024 10:07
To: Licensing
Subject: !8 Broad Street Bungay

Categories: LH

To whom it may concern,

Bungay Town Council would like to recommend that the East Suffolk Council rejects the request for a premises licence on the following grounds:

- The temporary usage in December has established that the premises became a focal point for anti-social behaviour.
- The narrowness of Brandy Lane presented several problems for this venue. Residents reported unacceptable noise, urination in the alley way and littering. Smokers loitering in Brandy Lane are also an issue.
- The Town Council consider that this is totally inappropriate as an on-premises licenced venue because of the location in a mainly residential area of the town and nature of the listed building.
- The lack of appropriate sound proofing proposals and the impact this will have on the residents.
- That there are more suitable empty premises available in the Town for a licenced venue.
- We would recommend that the venue is maintained as a retail space as recommended in the local plan.

Best Regards

Roz Barnett
Town Clerk,
Bungay Town Council
1a, Broad Street, Bungay NR35 1EE
01986 894236
clerk@bungaytowncouncil.gov.uk

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