

**Committee:** LICENSING  
**Date:** 5 July 2005  
**Agenda Item No:** 2  
**Title:** THE CONSERVATIVE CLUB MUSEUM STREET SAFFRON WALDEN  
**Author:** Murray Hardy (01799) 510598

### **Summary**

- 1 This report sets out an application to convert the existing club registration certificate under the Licensing Act 2003 and simultaneously vary the licence. Representations have been made to the Licensing Authority regarding the proposed variations, so therefore this application has been referred to the Committee for deliberation.

### **Background**

- 2 The Conservative Club is situated in Museum Street, Saffron Walden near to the junction of Church Street and operates as a Registered Club under a Club Registration Certificate. It is managed by Officers and Committee Members of the club and operates in accordance with the approved rules of the club.
- 3 The club was established in 1885 and is one of oldest Conservative clubs in Great Britain. Membership is confined to persons over 18 years of age who are subscribing to a Conservative Association which is affiliated to the Conservative Party. The constitution allows for a Special Class of Membership and deals with resignations of members and disqualification of potential members.
- 4 Visitors may be permitted to enjoy the facilities of the club provided they are accompanied by a member and upon payment of a fee. The details of their visit must be recorded in the visitor's book.
- 5 The current club rules permit the supply of intoxicating liquor during times which are agreed by the Committee.
- 6 The application made on behalf of the club has been submitted by John Gerrard who is the current club secretary.
- 7 The club are seeking to stage Indoor Sporting Events namely those involving Darts and Snooker fixtures and finals on Tuesdays and Thursdays between the hours of 8.00 pm and 12 midnight. This is dependent upon the club being selected as the nominated venue.

- 8 The club are also seeking to provide live music both inside and outside but still on the premises on Saturdays between the hours of 8.00 pm and 12 midnight, and on Sundays between the hours of 12 midday and 4.00 pm.
- 9 The club are also seeking to provide recorded music in the form of a discothèque to be held in the Function Room on a Saturday between the hours of 8.00 pm and 12 midnight.
- 10 The times for the provision for dancing is mirrored in paragraph 9 above.
- 11 The club are seeking to supply intoxicating liquor to members and bonafide visitors on days and times as follows:- Mondays to Fridays between the hours of 11.00 am to 2.30 pm and again from 6.00 pm to 12 midnight. On Saturdays between the hours of 11.00 am and 12 midnight and on Sundays from 12 midday to 11.00 pm.
- 12 The non standard timings for the premises are to include the following. On weekdays when a darts or snooker match takes place, then the supply of alcohol will cease at 12 midnight. On Sundays, the supply of alcohol will cease at 6.00 pm unless booked by a members for a private function. On the evening when the Christmas Club draw takes place the supply of intoxicating liquor will cease at 2.00 am and on Bank Holiday weekends, which includes a Friday, Saturday and the Monday intoxicating liquor, will cease being supplied at 2.00 am.
- 13 Copies of the application have been served on the statutory bodies and representations have been made by the Principal Environmental Health officer on grounds of excessive noise which could give rise to being a public nuisance.
- 14 Two letters of objection have been received from local residents on the grounds of possible excessive noise leading to being a public nuisance.
- 15 In carrying out its statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003, ie:-
- The prevention of crime and disorder
  - Public Safety
  - The prevention of public nuisance
  - The protection of children from harm
- 16 When determining an application then due regard should be given to the Council's policy regarding licensing and the Secretary of State's Guidance.
- 17 The decision which the Committee can make for this application is to:-
- Grant the application
  - Modify the application by inserting conditions
  - Remove the licensable activity from the licensee
  - Reject the application

RECOMMENDED that

- 1 The application is determined.
- 2 In the event of an appeal against the decision of the Licensing Authority, then a member is nominated to give evidence at Court on behalf of the authority.

Background Papers: Representations from Mrs A Lee-Moore, Environmental Health Officer  
Operating Schedule from applicant  
Plan of Premises  
Location of Premises  
Letters from objectors

**Committee:** Licensing  
**Date:** 5 July 2005  
**Agenda Item No:** 3  
**Title:** Rose and Crown PH Mill End Thaxted  
**Author:** Amanda Turner (01799) 510613

### **Summary**

- 1 This report sets out an application to convert the existing premises licence under the Licensing Act 2003 and simultaneously vary the licence. Representations have been made to the Licensing Authority regarding the proposed operating schedule and therefore this application has been referred to the Committee for deliberation.

### **Background**

- 2 The Rose and Crown Public House is situated in Mill End in the small town of Thaxted. It operates as a Public House serving food and alcohol throughout the public areas. Private entertainment may be provided within these areas. (Private entertainment is entertainment, which is not public entertainment but is provided for gain. The Council does not currently control such entertainment in premises with Justices Licences by virtue of the adoption of the Private Places of Entertainment (Licensing) Act 1967 by the Council.)
- 3 At the rear of the premises there is a garden area where the consumption of food and alcohol can take place in the open air and this area adjoins the car park for patrons of the premises.
- 4 Mill End Thaxted is a combination of business and residential premises, although the majority are residential.

## Application

- 5 The application has been made by T D Ridley and Sons and is for a conversion with simultaneous variation. The existing Justices Licence allows for the sale of all intoxicating liquor of all descriptions by retail both on and off the premises within the standard hours of the Licensing Act 1964.
- 6 Recorded music may be played throughout the premises without limitations and private entertainment for gain may be provided in the premises without limitation. The premises currently hold events under the 2 in a bar rule which will be abolished under the 2003 Act.
- 7 The variations applied for relate to the extension of hours for the sale of alcohol, the inclusion of late night refreshment and the addition of various forms of regulated entertainment outlined below. The only representations received relate to the provision of the regulated entertainment only.
- 8 The applicant requests the following regulated entertainment be included in a licence
  - a. film exhibitions to take place indoors (TV screens and video entertainment) are from 11:00hrs to 00:00hrs Monday to Wednesday and 11:00hrs to 01:00hrs Thursday to Saturday, and 12:00hrs to 00:00hrs on Sundays. When hours for the sale of alcohol are extended on Bank holidays these hours are also extended.
  - b. indoor sporting events (pub games that attract an audience between 11:00hrs to 00:00hrs Monday to Wednesdays, 11:00hrs to 01:00hrs Thursdays to Saturday's and 12:00hrs to 00:00hrs on Sundays.
  - c. Live music indoors from 11:00hrs to 23:00hrs Monday to Wednesday, 11:00hrs to 00:00hrs Thursday to Saturday, 12:00hrs to 23:00hrs on Sundays, limited to a maximum of 30 events per annum and a record maintained for inspection at the premises. New years eve will start as shown and finish at 01:00hrs New Years Day.
  - d. Recorded music (indoors) from 11:00hrs to 23:00hrs Monday to Wednesday and 11:00hrs to 00:00hrs Thursday to Saturday, 12:00hrs to 23:00hrs on Sundays. This includes Karaoke with or without a DJ. New Years Eve to start as shown and finish at 01:00hrs New Years Day.
  - e. For events of a similar description including Quiz nights, performance with voice amplification and comedians the hours will be 11:00hrs to 00:00hrs Monday to Wednesday, 11:00hrs to 01:00hrs Thursdays to Saturdays, and 12:00hrs to 00:00hrs in Sunday. Hours also to be extended to match bank holidays.
  - f. Provision of facilities for making music (microphone with amplifier) hours are 11:00hrs to 00:00hrs Mondays to Wednesdays, 11:00hrs to 01:00hrs Thursdays to Saturdays 12:00hrs to 00:00hrs on Sundays with hours extended on bank holidays.
- 9 The hours that the premises would be open to the public would be 11:00hrs to 00:00hrs Mondays to Wednesdays, 11:00hrs to 01:00am Thursday to

Saturdays and 12:00hrs to 00:00hrs Sunday. Bank holiday extension until 01:30hrs with the consumption in the garden to cease at 23:00hrs.

- 10 Representations have been received from Essex Fire and Rescue Service on the grounds of public safety. They are concerned that the applicant's operating schedule fails to demonstrate that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety in the case of fire and is relevant to individual premises, in relation to the proposed entertainment.
- 11 The applicant in its operating schedule has indicated that it will take the following steps to promote the public safety licensing objectives:
  - Fire risk assessment in place
  - Details of local taxi services available for customers and staff
  - Glasses collected regularly during opening hours
  - Risk assessments undertaken to identify overcrowding
  - First aid kit maintained on premises for customer and staff use
- 12 Representations were also received from Mrs A Lee-Moore on the grounds of noise nuisance. They were concerned that the applicant's operating schedule fails to demonstrate that suitable and sufficient measures have been identified and will be implemented and maintained to ensure noise from amplified music does not disturb nearby residents. Discussions with the applicant and Mrs Lee-Moore have taken place and the applicant has agreed to the inclusion of the following conditions " Provision of facilities for making music including a microphone with amplifier to end at midnight on Thursday, Friday and Saturday" This condition now satisfies representations, and so should be included on any licence that is granted.
- 13 Representations were also received from Georgina Parkin on the grounds of child protection. They were concerned that the applicant's operating schedule failed to demonstrate that suitable and sufficient measures have been identified for children regarding adult TV and amusement machines. Discussions with the applicant and Mrs Parkin have taken place and the applicant has agreed to the inclusion of the following activity restrictions "In the event of any adult content on TV and amusement machines children will be excluded from that area". This condition now satisfies representations, and so should be included on any licence that is granted.
- 14 In carrying out their statutory function the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003, i.e.
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance and
  - The protection of children from harm

In determining an application then due regard should be given to the Council's Policy regarding licensing, and the Guidance issued by the Secretary of State.

- 15 The decision which the Committee make for this application is to

- Grant the application
- Modify the application by inserting conditions
- Remove the licensable activity from the licence
- Reject the application

16 If the Committee in its discretion wishes to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objectives relative to the representations received only. The Committee cannot impose conditions that duplicate the effect of existing legislation.

RECOMMENDED that

- 1 The application for the licence be determined.
- 2 In the event of a appeal against the decision of the Licensing Authority, then a member is nominated to give evidence at Court on behalf of the authority.

Background Papers:

Representation from Essex Fire and Rescue Service  
 Representation from public nuisance – Mrs A Lee-Moore  
 Representation from Mrs Parkin – Child Protection  
 Application from applicant.  
 Plan of premises.

**Committee:** Licensing  
**Date:** 5 July 2005  
**Agenda Item No:** 4  
**Title:** The Cricketers PH Beaumont Hill Great Dunmow  
**Author:** Amanda Turner (01799) 510613

**Summary**

1 This report sets out an application to convert the existing premises licence under the Licensing Act 2003 and simultaneously vary the licence. Representations have been made to the Licensing Authority regarding the proposed operating schedule and therefore this application has been referred to the Committee for deliberation.

**Background**

2 The Cricketers Public House is situated in Beaumont Hill on the outskirts of the town of Great Dunmow. It operates as a Public House serving food and

alcohol throughout the public areas. Private entertainment may be provided within these areas. (Private entertainment is entertainment, which is not public entertainment but is provided for gain. The Council does not currently control such entertainment in premises with Justices Licences by virtue of the adoption of the Private Places of Entertainment (Licensing) Act 1967 by the Council.)

- 3 At the side of the premises there is a car park for patrons of the premises and this area adjoins the garden area where the consumption of food and alcohol can take place in the open air
- 4 Apart from a nearby school and bus depot Beaumont Hill Great Dunmow is situated in a residential area.

### **Application**

- 5 The application has been made by T D Ridley and Sons and is for a conversion with simultaneous variation. The existing Justices Licence allows for the sale of all intoxicating liquor of all descriptions by retail both on and off the premises within the standard hours of the Licensing Act 1964.
- 6 Recorded music may be played throughout the premises without limitations and private entertainment for gain may be provided in the premises without limitation. The premises currently hold events under the 2 in a bar rule which will be abolished under the 2003 Act.
- 7 The variations applied for relate to the extension of hours for the sale of alcohol, the inclusion of late night refreshment and the addition of various forms of regulated entertainment outlined below. The only representations received relate to the provision of the regulated entertainment only.
- 8 The applicant requests the following regulated entertainment be included in a licence
  - a. film exhibitions to take place indoors (TV screens and video entertainment) are from 11:00hrs to 01:00hrs Monday to Thursdays and 11:00hrs to 02:00hrs Friday and Saturday, and 12:00hrs to 01:00hrs on Sundays. When hours for the sale of alcohol are extended on Bank holidays these hours are also extended.
  - b. indoor sporting events (pub games that attract an audience between 11:00hrs to 00:00hrs Monday to Thursdays, 11:00hrs to 01:00hrs Fridays and Saturday's and 12:00hrs to 00:00hrs on Sundays.
  - c. Live music indoors from 11:00hrs to 00:00hrs Monday to Saturdays, 12:00hrs to 00:00hrs on Sundays, limited to a maximum of 30 events per annum and a record maintained for inspection at the premises. New years eve will start as shown and finish at 01:00hrs New Years Day.
  - d. Recorded music (indoors) from 11:00hrs to 00:00hrs Monday to Saturday, 12:00hrs to 00:00hrs on Sundays. This includes Karaoke with or without a DJ. New Years Eve to start as shown and finish at 01:00hrs New Years Day.
  - e. For events of a similar description including Quiz nights, performance with voice amplification and comedians the hours will be 11:00hrs to

00:00hrs Monday to Saturday, and 12:00hrs to 00:00hrs in Sunday.  
Hours also to be extended to match bank holidays.

- f. Provision of facilities for making music (microphone with amplifier)  
hours are 11:00hrs to 00:00hrs Mondays to Thursdays, 11:00hrs to  
01:00hrs Fridays and Saturdays 12:00hrs to 00:00hrs on Sundays with  
hours extended on bank holidays.

- 9 The hours that the premises would be open to the public would be 11:00hrs to 01:00hrs Mondays to Thursdays, 11:00hrs to 02:00hrs Fridays and Saturdays and 12:00hrs to 01:00hrs Sunday. Bank holiday extension until 02:00hrs with the consumption in the garden to cease at 23:00hrs.
- 10 Representations have been received from Essex Fire and Rescue Service on the grounds of public safety. They are concerned that the applicant's operating schedule fails to demonstrate that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety in the case of fire and is relevant to individual premises, in relation to the proposed entertainment.
- 11 The applicant in its operating schedule has indicated that it will take the following steps to promote the public safety licensing objectives:
- Fire risk assessment in place
  - Details of local taxi services available for customers and staff
  - Glasses collected regularly during opening hours
  - Risk assessments undertaken to identify overcrowding
  - First aid kit maintained on premises for customer and staff use
- 12 Representations have been received from Uttlesford District Council's Environmental Health Officer Mr R Dorney on the grounds of public nuisance. They are concerned that the applicant's operating schedule fails to demonstrate that suitable and sufficient measures have been identified and will be implemented and maintained to ensure noise from amplified music does not disturb nearby residents.  
Mr Dorney reported a series of complaints were received in 1998 associated with noise from the premises. The potential for problems still remains although there are no current noise complaints.
- 13 The applicant in its operating schedule has indicated that it will take the following steps to promote the prevention of public nuisance licensing objectives:
- Pub garden cleared and closed at 23:00 hrs
  - Noisy customers barred from using premises
  - Details of local Taxi services available for customers' use
  - regulated live and recorded music to cease at 00:00hrs
  - maximum of 30 events per annum
- 14 Representations were also received from Georgina Parkin on the grounds of child protection. They were concerned that the applicant's operating schedule failed to demonstrate that suitable and sufficient measures have been identified for children regarding ~~adults~~ and amusement machines.



Discussions with the applicant and Mrs Parkin have taken place and the applicant has agreed to the inclusion of the following activity restrictions “In the event of any adult content on TV and amusement machines children will be excluded from that area”. This condition now satisfies representations, and so should be included on any licence that is granted.

15 In carrying out their statutory function the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003, i.e.

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance and
- The protection of children from harm

In determining an application then due regard should be given to the Council's Policy regarding licensing, and the Guidance issued by the Secretary of State.

16 The decision which the Committee can make for this application is to

- Grant the application
- Modify the application by inserting conditions
- Remove the licensable activity from the licence
- Reject the application

17 If the Committee in its discretion wishes to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objectives relative to the representations received only. The Committee cannot impose conditions that duplicate the effect of existing legislation.

RECOMMENDED that

- 1 The application for the licence be determined.
- 2 In the event of an appeal against the decision of the Licensing Authority, then a member is nominated to give evidence at Court on behalf of the authority.

Background Papers:

Representation from Essex Fire and Rescue Service  
Representation from Mr R Dorney - Noise Nuisance  
Representation from Mrs G Parkin – Child Protection  
Application from applicant.  
Plan of premises.

**Committee:** Licensing  
**Date:** 5 July 2005  
**Agenda Item No:** 5  
**Title:** The Stag PH Duck Street Little Easton  
**Author:** Amanda Turner (01799) 510613

### **Summary**

- 1 This report sets out an application to convert the existing premises licence under the Licensing Act 2003 and simultaneously vary the licence. Representations have been made to the Licensing Authority regarding the proposed operating schedule and therefore this application has been referred to the Committee for deliberation.

### **Background**

- 2 The Stag Public House is situated in Duck Street in the centre of the small village of Little Easton. It operates as a Public House serving food and alcohol throughout the public areas. Private entertainment may be provided within these areas. (Private entertainment is entertainment, which is not public entertainment but is provided for gain. The Council does not currently control such entertainment in premises with Justices Licences by virtue of the adoption of the Private Places of Entertainment (Licensing) Act 1967 by the Council.)
- 3 At the rear of the premises there is a garden area where the consumption of food and alcohol can take place in the open air. There is also a car park to the side for patrons of the premises and a patio seating area to the front.
- 4 Duck Street Little Easton is situated in a residential area.

### **Application**

- 5 The application has been made by T D Ridley and Sons and is for a conversion with simultaneous variation. The existing Justices Licence allows for the sale of all intoxicating liquor of all descriptions by retail both on and off the premises within the standard hours of the Licensing Act 1964.
- 6 Recorded music may be played throughout the premises without limitations and private entertainment for gain may be provided in the premises without limitation. The premises currently hold events under the 2 in a bar rule which will be abolished under the 2003 Act.
- 7 The variations applied for relate to the extension of hours for the sale of alcohol, the inclusion of late night refreshment and the addition of various

forms of regulated entertainment outlined below. The only representations received relate to the provision of the regulated entertainment only.

- 8 The applicant requests the following regulated entertainment be included in a licence
- a. film exhibitions to take place indoors (TV screens and video entertainment) are from 11:00hrs to 00:30hrs Monday to Thursdays and 11:00hrs to 01:30hrs Friday and Saturday, and 12:00hrs to 23:30hrs on Sundays. When hours for the sale of alcohol are extended on Bank holidays these hours are also extended.
  - b. indoor sporting events (pub games that attract an audience between 11:00hrs to 00:30hrs Monday to Thursdays, 11:00hrs to 01:30hrs Fridays and Saturday's and 12:00hrs to 23:30hrs on Sundays.
  - c. Live music indoors from 11:00hrs to 23:00hrs Monday to Thursdays, 11:00hrs to 00:00 hrs Fridays and Saturdays and, 12:00hrs to 23:00hrs on Sundays, limited to a maximum of 30 events per annum and a record maintained for inspection at the premises. A maximum of 6 events to be held outdoors in the pub garden, with closure of the garden at 23:00 hrs. New years eve will start as shown and finish at 01:00hrs New Years Day.
  - d. Recorded music (indoors) from 11:00hrs to 00:00hrs Monday to Thursday, 11:00hrs to 01:00hrs Fridays and Saturdays, and 12:00hrs to 23:00hrs on Sundays. This includes Karaoke with or without a DJ. New Years Eve to start as shown and finish at 01:00hrs New Years Day.
  - e. For events of a similar description including Quiz nights, performance with voice amplification and comedians the hours will be 11:00hrs to 00:00hrs Monday to Thursdays, 11:00 hrs to 01:00hrs Fridays and Saturdays and 12:00hrs to 23:00hrs in Sunday. Hours also to be extended to match bank holidays.
  - f. Provision of facilities for making music (microphone with amplifier) hours are 11:00hrs to 00:00hrs Mondays to Thursdays, 11:00hrs to 01:00hrs Fridays and Saturdays 12:00hrs to 23:00hrs on Sundays with hours extended on bank holidays.
- 9 The hours that the premises would be open to the public would be 11:00hrs to 00:30hrs Mondays to Thursdays, 11:00hrs to 01:30hrs Fridays and Saturdays and 12:00hrs to 23:30hrs Sunday. Bank holiday extension until 01:30hrs with the consumption in the garden to cease at 23:00hrs.
- 10 Representations have been received from Essex Fire and Rescue Service on the grounds of public safety. They are concerned that the applicant's operating schedule fails to demonstrate that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety in the case of fire and is relevant to individual premises, in relation to the proposed entertainment.
- 11 The applicant in its operating schedule has indicated that it will take the following steps to promote the public safety licensing objectives:
- Fire risk assessment in place
  - Details of local taxi services available for customers and staff

- Glasses collected regularly during opening hours
  - Risk assessments undertaken to identify overcrowding
  - First aid kit maintained on premises for customer and staff use
- 12 Representations have been received from Uttlesford District Council's Environmental Health Officer Mr R Dorney on the grounds of public nuisance. They are concerned that the use of a marquee on the front of the premises for live or amplified music is likely to cause noise nuisance to nearby residents when in use on news Years Eve until 01:00hrs New years Day. Mr Dorney reported complaints have been received concerning the use of a marquee on the hard standing at the front of the premises.
- 13 The applicant in its operating schedule has indicated that it will take the following steps to promote the prevention of public nuisance licensing objectives:
- Pub garden cleared and closed at 23:00 hrs
  - Noisy customers barred from using premises
  - Details of local Taxi services available for customers' use
  - regulated live and recorded music to cease at 23:00hrs except on Fridays & Saturdays when it will cease at 00:00hrs
  - maximum of 30 events per annum
- 14 A representation has been received from an interested party on the grounds on noise nuisance. The representatives live adjacent to the public house. They are concerned about the noise connected with the 2/3 annual fun day events held within the garden accompanied by amplified music and public address systems.
- 15 Representations were also received from Georgina Parkin on the grounds of child protection. They were concerned that the applicant's operating schedule failed to demonstrate that suitable and sufficient measures have been identified for children regarding adult TV and amusement machines. Discussions with the applicant and Mrs Parkin have taken place and the applicant has agreed to the inclusion of the following activity restrictions "In the event of any adult content on TV and amusement machines children will be excluded from that area". This condition now satisfies representations, and so should be included on any licence that is granted.
- 16 In carrying out their statutory function the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003, i.e.
- The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance and
  - The protection of children from harm

In determining an application then due regard should be given to the Council's Policy regarding licensing, and the Guidance issued by the Secretary of State.

- 17 The decision which the Committee can make for this application is to

- Grant the application
- Modify the application by inserting conditions
- Remove the licensable activity from the licence
- Reject the application

18 If the Committee in its discretion wishes to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objectives relative to the representations received only. The Committee cannot impose conditions that duplicate the effect of existing legislation.

RECOMMENDED that

- 1 The application for the licence be determined.
- 2 In the event of an appeal against the decision of the Licensing Authority, then a member is nominated to give evidence at Court on behalf of the authority.

Background Papers:

Representation from Essex Fire and Rescue Service  
Representation from Mr R Dorney - Noise Nuisance  
Representation from Mrs G Parkin – Child Protection  
Representation from NL & GS Blackshaw – Interested Party  
Application from applicant.  
Plan of premises.