

Committee: Licensing
Date: 5 September 2005
Agenda Item No: 2
Title: The Queens Head, Littlebury
Author: Murray Hardy (01799) 510598

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 therefore this application has been referred to the Committee for deliberation.

Background

- 2 The Queen's Head Public House is situated in High Street, Littlebury and currently has a Justices License to sell intoxicating liquor of all descriptions by retail for consumption both on and off the premises. This area mainly consists of residential properties.
- 3 The applicants are Greene King Retailing Limited who are acting on behalf of Alison, Christopher and Paul Lloyd who currently hold the Justices Licence.
- 4 The existing Justices Licence permits the sale of intoxicating liquor between the following permitted hours:

Mondays – Saturdays 11am to 11pm
Sundays 12 midday to 10.30pm

These restrictions do not prohibit the consumption of alcohol on the premises during the first 20 minutes after the normal closing time.

- 5 The applicants are applying for a conversion with simultaneous variation. They are seeking to remove the restrictions relating to permitted hours as set out in Section 60 Licensing Act 1964 so as to extend the hours for the sale of alcohol and to include licensable activities which have not been previously licensed.
- 6 The operating schedule indicates that they have applied for the following activities:
 - a) Recorded music which would be comprised of a discothèque

Sundays – Thursdays 11am – 11.30pm
Fridays – Saturdays 11am – 12.30am
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For the non standard timings then permission is being sought to allow this activity to take place up to 12.30am on New Years Eve.

- b) The hours sought for the supply of alcohol both on and off the premises are

Sundays – Thursdays 11am – 11.30pm
Fridays – Saturdays 11am – 12.30am

For the non standard timings which include the Christmas, New Year, Easter periods and all Bank Holidays then the times sought are from 11am – 1am. On Maundy Thursday then the identical times are sought. The applicant also seeks flexibility during the World Cups, Boxing Day and other sporting events of a National or International flavour.

- c) The hours sought when the premises will remain open to the public are

Mondays – Thursdays 11am – 12 midnight
Fridays – Saturdays 11am – 1am

For seasonal variations and other sporting events as described in paragraph 6 above then an extra 30 minutes is sought to close the premises at 1.30am.

- 7 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding the prevention of crime and disorder.

- Training and supervision of all staff
- Premises is a member of pubwatch
- Proof of identification scheme
- Responsible management to keep within capacity levels

- 8 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding public safety.

- Risk management assessments carried out

- 9 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding the prevention of public nuisance.

- Liaison with all emergency services and authorities
- Management of persons entering and leaving the premises
- Collection of litter
- Adoption of best practices

- 10 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding the protection of children from harm.
- Children must be accompanied by adults
 - Provision of sufficient staff
- 11 Copies of this application have been served on the statutory bodies which have attracted no representations. However, representations have been received from interested parties. These representations are based on the grounds that crime and disorder may result and that a public nuisance may be caused by noise being emitted from the premises.
- 12 In carrying out its statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003, i.e:
- Prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 13 When determining an application then due regard should be given to the Council's policy regarding licensing and the Secretary of State's Guidance.
- 14 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
- 15 If the Committee in their discretion wishes to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objective relative to the representations received. Equally, the Committee cannot impose conditions that duplicate the effect of existing legislation.

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 on behalf of the authority.

Background papers: Operating Schedule from applicant
Plan of Premises
Location of Premises
Letters from interested parties

Committee: Licensing
Date: 5 September 2005
Agenda Item No: 3
Title: The Sun, Gold Street, Saffron Walden
Author: Murray Hardy (01799) 510598

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 therefore this application has been referred to the Committee for deliberation.

Background

- 2 The Sun Public House is situated in Gold Street, Saffron Walden and currently has a Justices License to sell intoxicating liquor of all descriptions by retail for consumption both on and off the premises.
- 3 The applicants are T D Ridley and Sons who own the premises and are acting on behalf of Janice and Ronald Jones who currently hold the Justices On Licence.
- 4 The existing Justices Licence permits the sale of intoxicating liquor between the following permitted hours:

Mondays – Saturdays 11am to 11pm
Sundays 12 midday to 10.30pm

These restrictions do not prohibit the consumption of alcohol on the premises during the first 20 minutes after the normal closing time.

- 5 On 19 April 2005 the premises was granted a full annual music and dancing licence which permits one event per month either on a Thursday, Friday or Saturday. The hours permitted were between 8pm and 11pm. This does not include any Bank Holiday weekends. It was also agreed that the number of persons attending was limited to 60 which could be increased to 100 if a third toilet was installed. Following representations expressed by The Principle Environmental Health Officer and local residents the Committee imposed the following additional conditions.

- All internal doors must be kept closed whilst events involving amplified sound are taking place
- Air conditioning to be provided in all rooms where events involving amplified sound are taking place

- A sound trap lobby shall be installed to the front entrance that opens onto Gold Street. These doors shall remain closed except for access and egress
- A system of soundproofing for the rooms where events involving amplified sound will take place must be agreed with the Licensing Authority and the work completed to the Licensing Authority's satisfaction

The Licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of these checks in a log book kept for that purpose and it shall include time and date of the checks, the person making them and the results including any remedial action that may have been taken.

6 The applicants are applying for a conversion and variation however the Music and Dancing Licence is not convertible. They are seeking to remove the restrictions relating to permitted hours as set out in Section 60 Licensing Act 1964 so as to extend the hours of sale of alcohol and to include other forms of licensable activities.

7 The operating schedule indicates that they have applied for the following activities at the times and days indicated.

a) Films which will consist of video entertainment on television screens to take place inside the premises. This also includes amusement machines. The hours sought are:

Monday – Thursday 11am – 12.30am

Fridays – Saturdays 11am to 1.45am

Sundays 12 midday – 12.30am

For the non standard timings which include all Bank Holidays the hours are extended to mirror the sale of alcohol.

b) For indoor sporting events to include normal pub games which attract audiences whether by prior advertisement or spontaneously the hours sought are:

Monday – Thursday 11am – 12 midnight

Fridays – Saturdays 11am to 1.00am

Sundays 12 midday – 12 midnight

c) Live music which will be acoustic/amplified with amplified voice will be as follows:

Thursdays – Saturdays 8pm – 11pm

This form of regulated entertainment mirrors the current conditions of their music and dancing licence and no change is sought, which is confined to inside the premises,

d) Recorded music which would take the form of karaoke with or without a disc jockey mirrors the times and days as indicated in paragraph (c) above.

- e) Performance of dance to reflect either live or recorded music mirrors the times and days as indicated in paragraph (c) above.
- f) Provisions of facilities for dancing in a designated area inside the premises the times and days are identical as indicated in paragraph (c) above.
- g) For entertainment which include quizzes or similar events and the potential for acts performed by comedians using voice amplifications the hours sought are:

Mondays – Thursdays	11am – 12 midnight
Fridays – Saturdays	11am – 1am
Sundays	12 midday - 12 midnight

These activities to be confined to inside the premises.
The non standard timings indicate an extension beyond the times stated to 1 am on New Years Day.

- h) For the provision of facilities for making music by means of a microphone with amplified on an ad hoc basis then the standard and non-standard timings are identical to those days at paragraph (g) above.
- i) For the performance of dance which will be to either live or recorded music then the times and days indicated are identical to those stated at paragraph (c) above.
- j) For the activity of late night refreshment which has not been present at the premises before the hours sought are:

Sundays – Thursdays	11pm – 12.15am
Fridays – Saturdays	11pm – 1.30am

This facility will include hot non alcoholic drinks and food during what is described as a wind down period.

The non standard timings for this facility indicate that an extra 15 minutes are sought on Bank Holidays.

- k) The hours sought for the supply of alcohol both on and off the premises are hereby amended to reflect the agreement made between the Chief Officer of Police and the applicant. The hours now sought are:

Mondays – Thursdays	11am – 12 midnight
Fridays – Saturdays	11am – 12.30am
Sundays	12 midday - 12 midnight

The non standard times for the New Year is from 11am on New Years Eve through until the close of trade of New Years Day. For all Bank Holidays and Bank Holiday weekends which includes the Friday the

times sought are 11am to 1am. On Maundy Thursday then the identical times are sought.

- l) The hours sought when the premises will remain open to the public have been amended to reflect the agreement made between the Chief Officer of Police and the applicant. The hours now sought are:

Mondays – Thursdays	11am – 12.30am
Fridays – Saturdays	11am – 1.45am
Sundays	12 midday – 12.30am

The applicants have indicated that to minimise nuisance that may be caused to neighbours then consumption of alcohol in the garden area will cease at 11pm.

- 8 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding the prevention of crime and disorder
- Provision of a 30 minute extension of opening hours and 45 minutes at weekends after the sale of alcohol ceases will ensure that last drinks will be consumed less quickly
 - Staff training covers the non service of drunks and drug awareness
 - The promotion of a wind down period
 - Proof of age identification will be requested
 - Glasses collected at regular intervals
- 9 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding public safety
- Details of local taxi services available for customer use
 - Risk assessment in place to prevent overcrowding
 - First aid kit available on the premises
- 10 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding the prevention of public nuisance
- The pub garden will be closed at 11pm
 - Noisy customers will be barred from the premises
 - The times for the last sales of alcohol and final closing are staggered to allow a wind down period
- 11 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding the protection of children from harm
- Children to be under the supervision of an accompanying adult
 - Children to be excluded from the area where adult entertainment on television or amusement machines are located
 - Children only allowed in the garden area and pool room until 9pm

- 12 Copies of this application have been served on the statutory bodies which have attracted no representations. It should be noted that representations have been received from interested parties on the grounds of the prevention of crime and disorder and the prevention of public nuisance. These relate to previous incidents of criminal damage, anti-social behaviour and excessive noise possibly emanating from the premises.
- 13 In carrying out its statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003, i.e:
- Prevention of Crime and Disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 14 When determining an application then due regard should be given to the Council's policy regarding licensing and the Secretary of State's Guidance.
- 15 The decision which the Committee can make for this application is to:
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 Amendment from applicant.