

Committee: Licensing
Date: 17 November 2005
Agenda Item No: 3
Title: The Crown and Thistle – Great Chesterford
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Summary

- 1 This report sets out an application to vary the existing licence that has been granted under grandfather rights pre 6 August 2005. Representations have been made to the variation in the operating schedule therefore this application has been referred to the Committee.
- 2 The Crown and Thistle is situated in High Street, Great Chesterford and has been granted a conversion of their current licence in accordance with The Licensing Act 2003. This entitles them to all the benefits and times that were issued under their previous Justices On Licence. This did include the sale of intoxicating liquor between the following permitted hours:

Monday – Saturday	11.00 a.m. – 11.00 p.m.
Sunday	12 midday – 10.30 p.m.

- 3 The applicants are Newlord Ltd who are acting on behalf of the current licensee Michael Leslie Walker. They are seeking a variation to the licence that will be issued from 24 November 2005.
- 4 The operating schedule indicates that they have applied for the following licensable activities.

- (a) Live music, which would consist of a jazz band, groups, duos and solo artists using amplified or non-amplified music for both inside and outside the premises. The outside functions would mainly take place during the summer months.

Friday – Sunday 12 midday – 12 midnight.

For the non-standard timings then an additional hour is sought at night for all of the Saints Days, Burns Night, Valentines Day, Good Friday, Easter Saturday and Sunday, Christmas Eve, Boxing Day and on a Saturday and Sunday which precedes a Bank Holiday.

- (b) For recorded music that is described as being ancillary to the sale of food and drink, occasional discos and times sought are:

Monday – Thursday	11.00 a.m. – 12 midnight
Friday – Saturday	11.00 a.m. – 1.00 a.m.
Sunday	11.00 a.m. – 10.30 p.m.

For the non-standard timings permission is being sought to mirror that as indicated at paragraph (a) above.

- (c) For the provision of facilities making music both for indoors and outdoors, the times sought are:

Friday – Sunday	12 midday – 12 midnight
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For the non-standard timings permission is being sought to mirror that as indicated at paragraph (a) above.

- (d) For the supply of alcohol both on and off the premises the hours sought are:

Monday – Wednesday	10.00 a.m. – 11.00 p.m.
Thursday	10.00 a.m. – 12 midnight
Friday – Saturday	10.00 a.m. – 1.00 a.m.
Sunday	10.00 a.m. – 11.00 p.m.

For the non-standard timings permission is being sought to mirror that as indicated at paragraph (a) above.

- (e) The hours that the premises are to remain open are:

Monday – Wednesday	7.00 a.m. – 11.30 p.m.
Thursday	7.00 a.m. – 12.30 a.m.
Friday – Saturday	7.00 a.m. – 1.30 a.m.
Sunday	9.00 a.m. – 11.30 p.m.

For seasonal variations the applicants is seeking the hours that are permitted by the Regulatory Reform (Special Occasions Licensing) Order 2002 namely from 11am to New Years Eve to 11pm on New Years Day.

- 5 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.

- No sales of alcohol to any person who appears to be drunk
- No disorderly conduct allowed on the premises.

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

- Fire alarm and three fire exits clearly marked.

- Fire extinguishers on premises.
- 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 public nuisance.
- Windows and doors to be kept closed subject to summer weather conditions.
 - Music to be at a reasonable audible level.
- 8 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 allowed only in the restaurant area
 - Children must be with an adult in the garden area
 - Children must be under the supervision of an adult.
- 9 Copies of this application have been served on the statutory bodies with representations being received from the Principal Environmental Health Officer. These are based on the licensing objective regarding the prevention of a public nuisance.
- 10 Representations have been received from interested parties based on the licensing objective that relates to the prevention of crime and disorder and the prevention of a public nuisance. It is feared that anti-social behaviour may be the result if the current licensing hours are extended and that excessive noise would result from the live or recorded music coming from the premises.
- 11 In carrying out its statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 12 The decision that 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
- 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 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
 Representations from the Principal
 Environmental Health Officer
 Plan of Premises
 Location of Premises
 Letters from interested parties