

**Committee:** Licensing  
**Date:** 21 April 2006  
**Agenda Item No:** 2  
**Title:** The Queen Elizabeth Public House, East Street, Saffron Walden  
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### Summary

- 1 This report sets out an application to vary the existing premises licence. Representations have been made to the variation contained in the operating schedule; therefore this application has been referred to this Committee for deliberation.
- 2 The Queen Elizabeth is situated in East Street, Saffron Walden at the junction with Faircroft Road, and can be described as being located in both a business and residential area of the town.
- 3 Their previous licence under the Licensing Act 1964 was converted, but at the same time they applied to vary their existing licence, that drew representations and a hearing was held. The licence was granted in the following terms, which took account of the representations made by the Principal Environmental Health Officer and interested parties.
- 4 The variation to the licence was granted in the following terms:
  - (a) Recorded Music for inside the premises only the times granted were:

Monday – Wednesday	11.00am -11.20pm
Thursday	11.00am - 11.20pm
Friday – Saturday	11.00am - 12.30am
Sunday	12 noon - 12 midnight
  - (b) Performance of dance for inside the premises only the terms granted were:

Friday – Saturday	8.00pm -12.30am
Sunday	8.00pm -12 midnight
  - (c) The provision of facilities for dancing inside the premises only the times granted were:

Friday – Saturday	8.00pm – 12.30 am
Sunday	8.00pm – 12 midnight

- (d) The sale of alcohol by retail for consumption both on and off the premises the times granted were:
- |                   |                       |
|-------------------|-----------------------|
| Monday – Thursday | 10.00am – 12 midnight |
| Friday – Saturday | 10.00am – 12.30am     |
| Sunday            | 12 noon – 12 midnight |
- (e) The hours the premises open to the public the times granted were
- |                   |                  |
|-------------------|------------------|
| Monday – Thursday | 10.00am – 1.00am |
| Friday – Saturday | 10.00am – 1.30am |
| Sunday            | 12 noon – 1.00am |
- (f) The patio must not be used by customers between the hours of 11.00 pm and 7.00 am.
- (g) All external doors/windows must be kept closed other than for access and egress in all rooms where events involving amplified sound are taking place.
- (h) Door from bar area to corridor that leads to the patio must be kept closed other than for access and egress while events involving amplified sound are taking place.
- (i) Air conditioning to be provided in all rooms where events involving amplified sound are taking place.
- (j) Amplified sound from the premises shall not be clearly audible at the boundary of any noise sensitive premises so as to cause a nuisance.
- (k) The licence holder or her 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 disturbance to local residents. A written record shall be made of these checks in a logbook kept for that purpose and shall include the time and date of the checks, the person making them and the result including any remedial action.
- (l) Prominent and clear notices will be displayed on all exits requesting the public to request the needs of local residents and leave the premises and the area quietly.
- (m) The cabin hooks at present fitted to the fire safety doors in the licensed area should be removed.
- (n) The self-closing device missing from the kitchen should be reinstated.
- (o) Additional fire exit signs should be provided.
- (p) Additional emergency lighting should be provided.
- (q) An additional foam extinguisher should be provided in the new roofed area to provide cover for the bar.

- (r) When purchasing or installing fire equipment compliance with the relevant British Standard should be taken into account.
  - (s) The provision of recorded music and performance of dance to end at 12.30 am on Fridays and Saturdays.
  - (t) The supply of intoxicating liquor is to end at 12.30 am on Fridays and Saturdays. On all other days the supply of intoxicating liquor must cease at 12.00 midnight.
  - (u) All persons under 16 years to be accompanied by an adult.
  - (v) All persons under 16 years to leave premises by 8.00 pm.
  - (w) The placing of a person under 18 years in the bed and breakfast part of the premises must only be agreed in exceptional circumstances with the licensees and Essex County Council.
  - (x) The Pool and Function Room to be closed by 11.00 pm.
- 5 The Licensing Authority since the grant of the licence in accordance with the Licensing Act 2003 has not received a notice of appeal against its decision either from the applicant, any of the statutory bodies or interested parties. In addition, the Licensing Authority has not received an application to formally review the licence.
- 6 The applicants seeking this further variation are Myra Stokley, Cindy Hare and Deborah Hare who jointly hold the premises licence.
- 7 The operating schedule indicates that the variation solely relates to the supply of alcohol on Fridays and Saturdays only. Currently permitted hours on Fridays and Saturdays are 10.00 am – 12.30 am.
- 8 The applicants are seeking an extra 30 minutes on both days so that permitted hours for the supply of alcohol end at 1.00 am. No other amendments are sought.
- 9 The operating schedule indicates that the following measures will be taken to promote the licensing objective regarding the prevention of crime and disorder.
- Regular checks are made of the premises and pathways surrounding the premises.
  - Any person found on the premises who appears to be drunk is refused service.
- 10 The operating schedule indicates that the following measures will be taken to promote the licensing objective regarding public safety
- Extra lighting has been installed in the Car Park.

- The collection of glasses and bottles are made on a regular basis inside the premises.
  - Checks are also made of the pathways outside the premises with bottles and glasses being removed.
- 11 The operating schedule indicates that the following measures will be taken to promote the licensing objective regarding the prevention of public nuisance.
- Regular noise level checks are made when discothèques are in progress. These checks include both inside and outside the premises.
  - Customers when leaving are encouraged to be quiet and make their way home quickly.
  - Windows and doors in the premises are closed at midnight.
- 12 The operating schedule indicates that the following measures will be taken to promote the licensing objective regarding the protection of children from harm.
- A new system has been introduced regarding under age drinking.
  - Identity must be produced if staff thinks a customer may be under 21 years of age.
  - All other measures previously submitted are still in place.
- 13 All these measures would be in addition to those already contained on the licence.
- 14 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.
- 15 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.
- 16 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
- 17 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

- 18 When determining an application then due regard should be given to the Council's policy regarding licensing and the Secretary of State's Guidance.
- 19 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 an officer 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  
   Current Premises Licence