

**Committee:** Licensing  
**Date:** 19 December 2007  
**Agenda Item No:** 2  
**Title:** The Storage Room Rose and Crown Public House Stansted  
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### Summary

- 1 This report sets out an application for the grant of a Premises Licence in respect of the above. Representations have been made to this application so therefore this matter has been referred to the Committee for deliberation.
- 2 The Storage Room is attached to the Rose and Crown Public House situated in Bentfield Green, Stansted. The Public House does have a Premises Licence for regulated entertainment, late night refreshment and the sale of alcohol by retail for consumption both on and off the premises.
- 3 The times for these licensable activities are listed below
  - (a) Regulated Entertainment and the Sale of Alcohol by Retail

Monday to Thursday	11 am – 12 midnight
Friday and Saturday	11 am – 1 am
Sunday	11 am – 12 midnight
  - (b) Late Night Refreshment

Monday to Thursday	11 pm – 12 midnight
Friday, Saturday and Sunday	11 pm – 1 am
- 4 The applicant is Richard Marks who resides at the Rose and Crown and is seeking to licence the Storage Room which would be used as a facility for the sale of alcohol by retail for consumption off the premises only.
- 5 In accordance with the Licensing Act 2003 when an applicant submits documentation for the grant of a licence then included must be an operating schedule. This demonstrates how the licensing objectives will be met and also seeks to outline what licensable activities are sought.
- 6 In respect of these premises the applicant seeks the following.
  - (a) The sale of alcohol by retail for consumption off the premises

Monday – Sunday	10 pm – 8 am
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- 7 These premises would not be open to the public as the service being provided would be pre-booked and delivered by the applicant or his staff to the home address of the customer.
- 8 The operating schedule indicates the following measures will be taken to promote the licensing objective regarding the prevention of crime and disorder.
- Delivery to a postal address of the customer which will reduce the number of persons in a public place.
- 9 The operating schedule indicates the following measures will be taken to promote the licensing objective regarding public safety.
- The prevention of persons drinking in public places.
- 10 The operating schedule indicates that the following measures will be taken to promote the licensing objective regarding the prevention of public nuisance.
- Keeping residents in their houses
- 11 The operating schedule indicates that the following measures will be taken to promote the licensing objective regarding the protection of children from harm.
- No sale of alcohol to persons under 18. If in doubt proof of age will be sought from the purchaser.
- 12 Copies of this application have been served on the statutory bodies which have attracted representations from the Principal Environmental Health Officer. This is based on the licensing objective that refers to the prevention of public nuisance.
- 13 Representations have been received from interested parties based on the licensing objectives that relate to the prevention of crime and disorder, and the prevention of a public nuisance. It is feared that additional noise may be created together with the potential of a disturbance if this application were granted.
- 14 Negotiations between the applicant and The Child Protection Unit of Essex County Council have resulted in both parties agreeing to the following conditions on any licence that might be granted.
- Proof of age established when placing an order
  - Proof of age requested on delivery
  - Deliveries will be made only to persons over 18
- 15 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

16 The decision that the Committee can make for this application is to:-

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

17 When determining an application then due regard should be given to the Council's Licensing Policy and the Secretary of State's Guidance.

18 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 attend Court.

Background Papers: Operating Schedule

Representations from the Interested Parties

Representation from the Principal Environmental Health Officer

Plan of premises

Location of premises