

**Title:** Application for a Premises Licence  
The L.A Grill  
Trevax House  
10 Hill Street Saffron Walden Essex  
CB10 1JD

**Report**

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## Summary

1. The application before the panel today is for the grant of a Premises Licence for the The L.A Grill. The application is dated 05 July 2022 and is made by The Plough Bar & Grill Ltd T/A The L.A Grill. This report sets out details of that application for the Premises Licence in respect of Trevax House, 10 Hill Street, Saffron Walden, Essex CB10 1JD. Representations have been made in response to this application by: Jasmine Kilpatrick, Gill Hawley, William Davies, Adile Egilmez and Nihat Yildirim, as well as letters in support from Alice Olley, Celia Law, Michelle Murray and Julie Redfern. A further representation was made by Mr & Mrs Keyte but this was received after the consultation period and therefore excluded. As a consequence of these responses the matter has been referred to the Committee for adjudication.
2. The L.A Grill at 10 Hill Street is situated in the town of Saffron Walden. A plan showing the layout of the premises is attached as Appendix B.
3. The options open to the Committee are set out by law, and are:
  - To grant the application
  - To modify the application by inserting conditions
  - To reject the whole or part of the application

## Recommendations

4. The application is determined

## Financial Implications

5. None

## Background Papers

- a) Premises Licence Application (Appendix A)
- b) Plan of the Premises (Appendix B)
- c) Representations from Ms Jasmine Kilpatrick - [REDACTED] Market Row (Appendix C)
- d) Representations from Gill Hawley - [REDACTED] Saffron Barns, Hill Street (Appendix D)
- e) Representations from William Davies - [REDACTED] Market Row (Appendix E)
- f) Representations from Adile Egilmez - Trading as 'The Piano' 12 Market Row
- g) Representation from Nihat Yildirim - Trading as 'The Grill' - 11 Market Row
- h) Notice of support from Alice Olley - [REDACTED] Ashdon
- i) Notice of support from Celia Law - Thaxted Road
- j) Notice of support from Michelle Murray - Trading as Eden Lake

- k) Notice of support from Julie Redfern – Trading as ‘Beauty Box’ Market Row
- l) No Objection from the Police but requesting Conditions to be imposed.
- m) Uttlesford District Council Statement of Licensing Act 2003 Policy 2017 – 22

## Impact

Communication/Consultation	Details of the application was conveyed to all relevant responsible authorities. A blue public notice was displayed on the premises for the required timeframe and a public notice was placed in a local publication circulated within the area of the premises.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	Under Article 1 First Protocol to the European Convention on Human Rights everyone is entitled to peaceful enjoyment of their possessions which includes property. This right may be interfered with if necessary to control the use of property in accordance with the general interest. The imposition of conditions under the Licensing Act 2003 is a legitimate interference with this right in this context. In the event that an applicant, responsible authority or interested party is dissatisfied with the decision of the committee there is a right of appeal to the Magistrates Court
Sustainability	None
Ward-specific impacts	Saffron Walden being the ward within which the premises are situated
Workforce/Workplace	None

## Situation

6. This premises is a 3 storey building, with 2 floors previously occupied by Laura Ashley as a retail outlet, the 3<sup>rd</sup> floor is a residential dwelling. The applicants are proposing to open a restaurant which offers live music and events, with and without amplified sound. The premises will be open from 11:00 every day till the evening 7 days a week. The premises is situated in the centre of Saffron Walden, surrounded by other businesses and some residential dwellings. The proposed licensable activities and times can be read on page 5 of the application form. (Appendix A).
7. The proposed licensable activities are below:

- i. Recorded Music
- ii. Live Music
- iii. Provision for Dancing
- iv. Supply of Alcohol

8. Copies of this application have been served on all the statutory bodies and this did attract correspondence from Essex Police based on the Crime and Disorder and Protecting Children from Harm objectives. An agreement was reached to add conditions (Appendix L)
9. The statutory notices attracted representations listed in the background papers.
10. In carrying out its statutory function, the Licensing Authority must promote the licensing objectives as set out in the Licensing Act 2003. These are:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
11. There is no hierarchy of importance among the objectives, and all must be given equal weight.
12. The decisions that the Committee can make in respect of this application are to:
  - Grant the application
  - Modify the application by inserting conditions
  - Reject the whole or part of the application
13. When determining an application, due regard should be given to the Council's Licensing Policy and the Secretary of State's Guidance issued in accordance with the 2003 Act.
14. The Secretary of State's Guidance provides at paragraphs 10.8 and 10.10 the following assistance for members:
  - 10.8 "The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions must be included that are aimed at preventing illegal working in licensed premises."
  - 10.10 "The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions."

15. If the Committee's decision is to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objective relevant to the representations received. Furthermore, the Committee should not impose conditions that duplicate the effect of existing legislation.

<b>Risk</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigating Actions</b>
1 Either no conditions are attached to the licence, or the conditions do not satisfactorily achieve the licensing objectives the prevention of public nuisance	2 There is a possibility that local residents will suffer from public nuisance even if what appears to be appropriate conditions are imposed.	2 Due to the availability of the review procedure and inconvenience which may be suffered by local residents would be relatively short lived.	In light of the objections received to this application members should consider if this meets the licensing objectives

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.