

GOSSCHALKS

BY EMAIL AND FIRST CLASS POST
Licensing Team
Harlow Council
Civic Centre
The Water Gardens
HARLOW Essex CM20 1WG

Please ask for: [REDACTED]
Direct Tel: [REDACTED]
Email: [REDACTED]
Our ref: [REDACTED]
Your ref: [REDACTED]
Date: 23 October 2020

Dear Sirs,

**Re: Licensing Act 2003 – Review Proceedings
Chequers, 2 Market Street, Old Harlow CM17 0AH**

We act on behalf of Ei Group Ltd. Our client is the freehold owner of these premises and we have received a copy of the application for review of the premises licence issued on behalf of the Environmental Health Department.

We would be grateful if you would accept this letter as a formal representation on behalf of Ei Group Ltd to that review.

Ei Group Ltd owns around 4000 public houses in England and Wales. The vast majority of these premises are the subject of lease/tenancy agreements through which the tenant operates his/her/its own business out of our client's premises. The lease/tenancy agreement makes it clear that all operational responsibility for the premises lies with the tenant. Chequers is the subject of a lease in favour of Harvard Lounge Bars Ltd, the sole director being the premises licence holder, Bradley Reeve.

Please note we take a wholly neutral stance with regards to the allegations made given that our client has no operational responsibility for the operation of the premises.

It appears that the cause/causes of review are noise caused by the playing of live/recorded music in the garden area and noise escape from music played within the premises.

Our representation is that the licensing objectives would be promoted by the imposition of conditions under Section 177A (3) and (4) Licensing Act 2003. These subsections specifically apply to conditions relating to live and recorded music being imposed on review. If the licence was to contain a statement that conditions which precluded the provision of live/recorded music in the garden area and which required that amplified sound within the premises be played through a noise limiting device set in conjunction with the Environmental Health Officer were imposed under s177A (s3) and (4) then these conditions would have effect at all times (rather than them being suspended under deregulation until 2300) and prevent the issues that have given rise to the

review from recurring. Such conditions allied to a S177A (3) and (4) statement would constitute an appropriate and proportionate response in these circumstances.

At this stage, we would be grateful if you could acknowledge receipt of this representation. It may be that our client may wish to expand upon this representation in due course. It may do so either in writing or by appearing before the Committee at the review hearing.

We look forward to hearing from you.

Yours faithfully



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