

ENVIRONMENTAL HEALTH

REPRESENTATION CONCERNING VARIATION OF LICENCE

THE CHEQUERS PUBLIC HOUSE

2 MARKET STREET

HARLOW

CM17 0AH

Environmental Health wish to object to 3 out of the 5 proposed variations to the premises licence held by The Chequers, 2 Market Street, Old Harlow, Essex, CM17 0AH.

Environmental Health wish to report that complaints of noise have been received by Harlow Council Environmental Health team from nearby residents dating back to at least 2013. Residents have continued to report concerns regarding potential statutory noise nuisance from the premises and public nuisance associated with the premises.

There has been no statutory noise nuisance established at The Chequers. However, Environmental Health wish to raise concerns under the Licensing Objective for the prevention of Public Nuisance.

In response to complaints received from residents Environmental Health deployed officers to undertake monitoring of these premises starting Friday 02 September. The monitoring took place on a Friday and Saturday night throughout September, October, and November 2022. No significant enforcement issues arose from these observations, however, following the noise observed on 28/10/22, an enforcement officer visited the premises on 01/11/22. The officer discussed noise that was audible outside of the premises due to the external door being left open. The management advised that it is very difficult to keep both doors closed as the lobby area is very small, when both doors are open, they actually hit each other, the premises was reminded that this is still a condition of their premises licence and that both doors should remain closed. **See appendix 1**

Point 2: To extend the hours of recorded music on Friday and Saturday from 23.30 to 00.00

In the opinion of Environmental Health in their role as a Responsible Authority there is the potential for the noise to become a public nuisance should the hours be extended for recorded music on a Friday and Saturday from 23.30 to the proposed 00.00. The premises is situated in a densely populated area, extending the hours of recorded music is likely to interfere with residents use or enjoyment of their own home.

Point 4: To amend condition 3.13 and extend the use of the garden from 22.00 to 23.00.

In the opinion of Environmental Health in their role as a Responsible Authority there is the potential for the noise to become a public nuisance should the hours be extended for the use of the garden from 22.00 to the proposed 23.00. The garden of the premises is overlooked and in very close proximity to nearby residential premises, extending the hours is likely to interfere with residents use or enjoyment of their own home.

Point 5: To delete condition 3.0 to allow the performance of live music.

- a) In the opinion of Environmental Health in their role as a Responsible Authority there is the potential for noise (live music) to become a public nuisance should the above condition be removed from the current licence.
- b) Should the applicant only be seeking live music on a Sunday between 16.00-21.00 hours, Environmental Health would have no objections. We are aware that the premises has applied for several TENS on a Sunday for live music and there is no evidence to suggest that this is an issue.

In conclusion, the proposed increase in licensable hours and the complete removal of the condition that prohibits live music at The Chequers PH, we feel will increase the likelihood of disturbance to the community. We feel that the proposed application to close the premises at a later hour at night, the later times of playing of music, along with patrons vacating the premises and the potential for increased raised voices and rowdy behaviour on Fridays and Saturdays will all culminate to a heightened disturbance at a local level to neighbouring residential premises to the pub. There are no proposals submitted by the applicant detailing how the noise caused by the increase in hours or the allowance of live music will be managed to prevent any increase in public nuisance. Relaxation of the licence controls removes the obligation of the licensee to serve TENS for events that have increased risk of disturbance. This method of application allows Environmental Health (and the Police) the ability to raise an objection to the TEN, should evidence from other TENS of disturbance and anti-social behaviour become apparent. It is our belief that the existing licence restrictions have maintained a suitable level of control for public nuisance. There has been a noticeable decline in the number of complaints relating to noise since the licence was reviewed under the Licensing Act 2003 on 02 December 2020 by Environmental Health. Therefore, consideration should be given to the possibility that residents tolerate a degree of disturbance in the knowledge that operational timings and noise controls are in place. This should not interpret to grounds for removal of those controls.

Appendix 1:

Friday 02 September

20.00-2020 bar and garden very quiet

21.55 garden gates closed. Bar very quiet nobody outside. Voices can be heard at the back of the pub by 22.00hrs quiet.

23.35 3 people in the bar.

00.00 hrs pub closed and in darkness.

Saturday 03 September

20.10 Two people in the garden and a handful of people in the bar. All quiet

21.50-22.00 very few people in the pub although the juke box music is quite loud and can quite clearly be heard in the street. Garden is closed

22.56 Few people standing in the road smoking and drinking, juke box is still loud

Friday 09 September

20.19-20.25 Garden very quiet.

20.30 People inside the bar, nobody outside.

21.25 Very quiet only about ten people inside the pub. No music or talking can be heard. Few people in the front of the garden but very quiet

22.50 Quiet inside pub, about half a dozen people out the front smoking. No ASB or noise witnessed

00.06 Pub closed. Group of about 6-7 people on opposite side of the road I assume waiting for a taxi being loud. All picked up at 00.13

Saturday 10 September

20:00 - Music AIO

21:00 - Music AIO

22:45 - Music AIO

23:45 - Music AIO People outside

23:50 - Males urinating in Public place

00:05 - Males urinating in Public place

Friday 16 September

No more than 20 customers seated and at the bar area. No sounds of music from within premises or a live band.

From 23.30 we returned to the Chequers at Old Harlow. No excessive noise or rowdy customers.

Saturday 17 September

20-30 customers seated and at the bar area. DJ playing music from within premises.

On site observations carried out between 21:00 -22:30. No rowdy or excessively noisy customers. Area to the right of premises which is an enclosed courtyard with table and seated area not open which appeared to further reduce any noise.

Friday 23 September

2000-2030 general foot and Mobil patrols. Few customers inside. Quiet no obvious music.

2115 very quiet. No obvious music and side seating area quiet

2325 v quiet and side gate closed

0005 closed and quiet

Saturday 24 September

2000 2030 2210 2230 walk outside and behind. Not at full capacity.

2336 No music heard.

0005 pub beginning to empty

0010 Closed

Friday 30 September

20.20-20.40 No noise. Pub empty

21.45 -22.00 bar very quiet no noise from garden

00.25 AIO

Saturday 01 October

20.12 Bar empty. 4 people outside briefly then went back into the bar.

22.05 Garden gates closed one person outside the front smoking. No noise at all

00.00 All quiet one girl outside smoking

01.00 Closed

Friday 07 October

21.00hrs - Very Quiet

Saturday 08 October

20.15 Few people at the bar. Garden gates closed.

21.58 Three people outside smoking. No noise

23.30 People outside smoking but no noise can be heard

00.25 Closed

Friday 14 October

20.10 The Chequers AIO

Saturday 15 October

20.43 Garden empty few people inside the pub. No noise.

22.15 Garden closed. Pub quiet

00.35 Closed

Friday 21 October

2010 - Drive by the front of the premises very quiet, very few customers visible inside whilst looking through the pub windows from the road. No noise heard.

950pm- again drive by the front of the premises, very quiet. Only a couple of customers could be seen inside the pub, no one outside, no noise and no other issues identified.

0012 - Pub appeared shut, lights were off no one outside, no noise.

Saturday 22 October

2035 AIO

2200 AIO

2325 Closed

0100 Closed

0130 Closed

Friday 28 October

2055 hrs - Low footfall of 5-10 persons present within and 2 in the outside seated area to the side which had gates open to right side of building. Very quiet and no noise at this time. Remained in Market St for approximately 35 minutes with no noise to report.

2320 hrs parked near to Market St and conducted observations on foot. Side seated area had gates closed and music could be heard from the corner of Market Street/Station Road (short video recorded). Customers stood outside being very loud and music was significantly louder when door opened when customers were exiting.

2345 hrs - Customers congregating outside the pub and very noisy whilst awaiting cabs. Music still audible at this time from junction with Seeleys.

2355 hrs - Disturbance in street involving a number of cars containing young male/females who have attended Market St. The seat of this disturbance was not connected to the clientele from this pub. It appears to be from an address is St John Walk and police attended. **Video record made but cut short as individual seen to approach us.**

0000hrs - Premises closed and no music heard. Groups of customers waiting outside being vocal whilst awaiting cabs.

0045 hrs - Premises closed. No noise/music and no people in street outside.

Saturday 29 October

20.02 hrs Several outside. Door open. Music heard, not excessive.

22.00 hrs Music can be heard. 3 outside. AIO.

00.06 hrs Several outside. AIO

00.31 Closed.

Friday 04 November

20.30 hrs AIO. No noise. Garden closed

21.43 hrs Very quiet, approx. 6 people in the bar

22.55 hrs All quiet. Approx. 12 in the bar.
00.34 hrs Closed.

Saturday 05 November

20.40 hrs Garden locked up 3 people inside at the bar
21.15 hrs Two people smoking outside. Very quiet.
22.35 hrs Two people inside at the bar
00.48 hrs Closed

Friday 11 November

20.36 QUIET
22.05 QUIET
23.25 QUIET
00.39 CLOSED

Saturday 12 November

20.22 QUIET
21.29 QUIET
23.28 QUIET
00.10 QUIET
00.40 CLOSED

Friday 18 November

20.05 hrs Drive past premises, very few people inside, low level noise from internal music
21.15 hrs Drive past no change from previous entry. No noise and no one outside the premises
21.43 hrs Internal music could be heard from the road although not busy low level noise. Louder when the front door to the pub was opened.
00.50 hrs No noise appears closed

Saturday 19 November

20.28 hrs Garden gates closed and pub empty
22.20 hrs Half a dozen males outside the front of the chequers, their voices can be heard with what sounds like Irish accents - making their way down to The Crown.
22.50 hrs A few people outside the front of the pub talking and laughing quite loudly.
01.06 hrs Closed. AIO

Friday 25 November

2100 to 2155 hrs - During this first visit this venue had side doors open with a few people stood in the area and a round 10 customers visible within. The noise level was minimal, but this was down to doors and windows be closed. There was one potential disturbance outside the door between a male and female, but this turned out to be good natured and friendly. Female left on foot and male returned inside the PH **(video sent & still sent)**

2240 hrs - All quiet.

0105 hrs - Closed and in darkness.

Saturday 26 November

20.23

QUIET NO ONE O/S

21.45

QUIET 3 PEOPLE O/S

22.34

QUIET 2 PEOPLE O/S

23.27

QUIET

00.12

CLOSED