

JERSEY / JUDGMENT

# Eagle Tavern Limited [2007]

## JRC 180 (26 September 2007)

[2007] JRC 180

---

Source: bailii.org · Research copy typeset by Esheria. Not court-issued or certified.

---

### judgment

the deputy bailiff: 1. This is an application by Eagle Tavern Limited ("the Applicant") for a first category licence in respect of the premises known as the Eagle Tavern, 14 Lempriere Street, St Helier. 2. The background to the application is that the Applicant was previously the licence holder in respect of the Eagle Tavern but, on 13 th June 2007, this Assembly revoked that licence. It is not necessary to refer to the reasons for the Assembly's decision save to say that the Assembly found that the manageress appointed by the applicant had not been properly trained and was not competent to act as a manager of licensed premises. 3. The Assembly ordered that no application for a new licence in respect of the premises should be made before the September sitting and that, if an application were then made, the Assembly would want to be assured that the prospective licensee had put in place proper procedures for the training of staff and that the proposed manager was not only fully trained but was also a fit and proper person to manage these particular premises. 4. The Applicant is part of the Randalls Brewery Group. Randalls has a number of licensed premises in the island. On behalf of the Applicant, Mr Hoy accepted that serious errors had occurred in the past in relation to the premises but submitted that the Applicant had now addressed those concerns such that a licence should now be granted. We would summarise his grounds for so submitting as follows: (i) Previously the Applicant had appointed a tenant of the Eagle Tavern who had assumed primary responsibility for the day to day conduct of the premises and had nominated the manageress. The Applicant now accepted that this had led to it being too far removed from the day to day management of the premises. The Applicant had now revoked the tenancy. It would therefore be directly responsible as licensee for managing the premises through its duly appointed manager. (ii) If the licence were granted, the Applicant proposed to appoint Mr David Perrier as manager. Mr Perrier was an extremely experienced manager of licensed premises and the Assembly was provided with his curriculum vitae. He was presently the manager of the Britannia. He was highly regarded and no concerns had been expressed in relation to premises which he had managed. Furthermore, he intended to bring with him two experienced members of the Britannia staff so as to ensure that there was no recurrence of the sort of conduct which had led to the licence being revoked in the first place. (iii) Randalls had taken note of the observations of the Assembly in the Le Hocq Inn case and the Mont Felard Hotel case concerning the need for the training of staff. It had

instigated a Licensing and Customer Care Course. This was a one-day course in which the States of Jersey Police Licensing Unit and the Jersey Trading Standards Department participated. Mr Perrier had attended and passed that course. (iv) The Applicant was aware of the need to try and prevent misconduct by its patrons and, to this end, it proposed to install CCTV on the outside of the premises so as to assist in deterring such conduct or in detecting it should it occur. The Applicant had also created an outside smoking area within the perimeter of the premises so as to avoid patrons congregating in the street in order to smoke. In short, submitted Mr Hoy, Randalls had done all they could to meet the concerns of the Assembly and should now be given an opportunity of showing that the Applicant could run the Eagle Tavern in a responsible and satisfactory manner. 5. At the Parish Assembly the application was rejected by 21 votes to 7 votes. A number of local residents spoke about the appalling conduct with which they had had to put up over a long period. 6. A number of those residents also appeared before us to express their strong opposition to the granting of a licence, as did Deputy Hilton. We also received a letter from one of the objectors who had appeared at the Parish Assembly but who was unable to be present at this Assembly. We do not propose to summarise what each objector told us. However we heard of regular shouting, swearing and fighting in the street, of urinating, vomiting and even occasionally defecating on or near local properties, of drug dealing in the street, of insults and aggression by patrons should any complaint be made by residents and of the fact that many residents were simply frightened to go out when the pub was open in the evening. We were told that the Eagle Tavern has a certain notoriety and attracts a certain type of clientele who are prone to behave in such a manner. There was real concern that such clientele would return should the premises be re-opened. The residents emphasised how, since the licence had been revoked, they had 'got their lives back'. Their quality of life had improved out of all recognition and they could now lead normal and peaceful lives without their lives being blighted by the sort of conduct which we have described above. 7. We were also told that Randalls had shown little interest in their plight until the licence was revoked. Apparently a petition had been signed by a number of residents and submitted to Randalls at an earlier stage, but with no adequate response. It was only following the revocation of the licence that Randalls appeared to have responded to the position and, even then, the residents did not feel that the proposals put forward by Advocate Hoy would meet all their concerns. 8. Most significantly, we heard that Randalls had made no effort to meet with the local residents in order to hear of their concerns and see how they could best be addressed. There had apparently been one meeting between two objectors and a director of Randalls which had been held at the request of the resident. There had been no other consultation. 9. The Connétable informed the Assembly that he had received many complaints from local residents concerning the behaviour of patrons of the Eagle Tavern and he had every sympathy with their complaints. He referred to the British Institute of Innkeepers training programme and expressed a concern as to whether the training programme referred to by Advocate Hoy was as rigorous as that of the Institute. 10. We have to start from the position that first category premises have existed at the Eagle Tavern for a very long period. As one of the objectors said, the position used to be satisfactory and it is only in recent years that the position has become unacceptable. We fully understand the desire of the residents that the pub should never re-open. However, it is not open to us to reach such a decision given the fact that the

premises held a first category licence until June and had done so for many years. 11. However, given the history of these particular premises, before allowing the premises to re-open, we would need to be satisfied that the real and justified concerns of the residents have been fully addressed and that all reasonable steps have been taken by the Applicant to try and meet those concerns. Licensed premises have a duty to take all practicable steps to be a good neighbour and keep disruption and disturbance to nearby residents to the minimum. The Assembly was disappointed to hear that neither the Applicant nor its parent company had taken the trouble to convene a meeting of residents in order to hear their concerns and consider how best to meet them. The Connétable expressed similar disappointment. If the Applicant has not investigated the concerns of the neighbouring residents, it is hard to see how it can take steps to address these concerns. In our judgment, this failure on the part of the Applicant means that it would be premature to grant a licence for these premises and we therefore reject the application. 12. We would be willing to hear a further application by the Applicant at the next ordinary sitting of the Assembly. On that occasion we would expect to hear full details of all the steps which the Applicant has taken to meet with residents, to hear their concerns and of its proposals to meet those concerns. We would also wish to hear more information about the level of training offered by the programme which Randalls have instituted as compared with other available training programmes such as those of the British Institute of Innkeeping. No Authorities Page Last Updated: 10 Jun 2015  
BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

---

### Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

**ORIGINAL SOURCE**      <https://www.bailii.org/je/cases/UR/2007/>

**CASE PAGE**              <https://chat.esheria.ai/case-law/jersey/eagle-tavern-limited-2007-jrc-180-26-september-2007>

Prepared on 27 October 2026 · Esheria