



*Alison Stuart
Head of Legal and
Democratic Services*

MEETING : LICENSING SUB-COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : FRIDAY 13 JULY 2018
TIME : 10.00 AM

MEMBERS OF THE SUB-COMMITTEE

Councillors Mrs R Cheswright, J Jones and M McMullen

COMMITTEE OFFICER:
Lorraine Blackburn
Lorraine.blackburn@estherts.gov.uk
01279 502172

DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:
 - fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
 - fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
 - participate in any discussion or vote on a matter in which a Member has a DPI;
 - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

Public Attendance

East Herts Council welcomes public attendance at its meetings and will provide a reasonable number of agendas for viewing at the meeting. Please note that there is seating for 27 members of the public and space for a further 30 standing in the Council Chamber on a “first come first served” basis. When the Council anticipates a large attendance, an additional 30 members of the public can be accommodated in Room 27 (standing room only), again on a “first come, first served” basis, to view the meeting via webcast.

If you think a meeting you plan to attend could be very busy, you can check if the extra space will be available by emailing democraticservices@eastherts.gov.uk or calling the Council on 01279 655261 and asking to speak to Democratic Services.

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

AGENDA

1. Appointment of Chairman

2. Apologies

To receive apologies for absence.

3. Chairman's Announcements

4. Declarations of Interest

To receive any Members' Declarations of Interest.

5. Summary of Procedure (Pages 5 - 12)

A summary of the procedure to be followed during consideration of item 6 is attached.

6. Application for Variation of a Premises Licence for The Grapevine Off Licence, Unit 1 18/20 Parliament Square, Hertford SG14 1EX (Pages 13 - 56)

7. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

LICENSING SUB-COMMITTEE

EXTRACT FROM RULES OF PROCEDURE

Note – the full Rules of Procedure can be viewed at:

<http://democracy.eastherts.gov.uk/ieListMeetings.aspx?CId=144&Year=0>

8.0 Procedure at hearing

As a matter of practice, the Sub-Committee shall seek to focus the hearing on the steps needed to promote the particular licensing objective(s) which has given rise to the specific representation(s) and will avoid straying into undisputed areas. The hearing is a discussion lead by the Authority (i.e. the Chairman) with advice from the Legal Adviser.

- 8.1 The order of business shall be at the discretion of the Sub-Committee, but shall normally proceed in accordance with the following paragraphs.
- 8.2 The Chairman shall at the beginning of the hearing, introduce the Sub-Committee members, invite the Parties to the Hearing and any Councillor representative to identify themselves and then explain to the parties the procedure that the Sub-Committee intends to follow. Councillors in attendance for training purposes shall also be identified and their role and non-participation explained.
- 8.3 The Sub-Committee shall then proceed to consider any request made by a Party to the Hearing for permission for another person to appear at the hearing. Permission shall not be unreasonably withheld.
- 8.4 The Chairman may ask a representative of the Licensing Authority to introduce the report, and outline the matter before the Sub-Committee. Alternatively, the Chairman may proceed directly to paragraph 8.5 below.
- 8.5 The Parties to the Hearing shall usually be invited to address the Sub-Committee in the following order:

- (a) Affected Person
- (b) Responsible Authority
- (c) Interested Person

However, this may be varied at the discretion of the Chairman, if in his/her opinion, this would assist the efficient business of the Sub-Committee.

8.6 Parties to the Hearing shall be entitled to:

- (a) give further information in support of their application, Relevant Representations or notice (as applicable) in response to a point upon which the Licensing Authority has given notice that it requires clarification;
- (b) question any other party if given permission by the Sub-Committee; and
- (c) address the Sub-Committee.

8.7 Members of the Sub-Committee may ask any question of any party to the hearing or other person appearing at the hearing.

8.8 Where there is more than one Relevant Representation raising the same or similar grounds, the Sub-Committee shall request that only one party address them on behalf of the parties who have made the representations in question.

8.9 Subject to paragraph 8.10 below, in considering any Relevant Representations or notice made by a Party to the Hearing, the Sub-Committee may take into account additional documentary or other information produced by such a Party in support of their application, Relevant Representations or notice (as applicable) either before the hearing date or, with the consent of *all* the other parties and the Chairman, at the hearing. Where all the other parties consent the Licensing Sub-Committee has discretion as to whether to admit additional documentary evidence or other information at the hearing.

Note - As a matter of good practice, any additional documentation or other information produced in advance of the hearing date,

should be submitted to the licensing officer no later than two working days before the hearing.

8.10 The Sub-Committee shall disregard any information given or evidence produced by a party or any person to whom permission is given to appear at the hearing, which is not relevant to:

- (a) their application, Relevant Representations or notice (as applicable) or in the case of another person, the application, Relevant Representations or notice of the party requesting their appearance, and
- (b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the crime prevention objective.

8.11 Hearsay evidence may be admitted before the Sub-Committee, but consideration shall always be given to the weight, if any, to be attached to such evidence, depending upon the circumstances in which it arises.

8.12 The Parties to the Hearing shall be entitled to make closing submissions, usually in the following order:

- (a) Responsible Authority
- (b) Interested Person
- (c) Affected Person.

8.13 The Sub-Committee will, after hearing the Relevant Representations of the Parties to the Hearing, withdraw from the room to make their deliberations.

8.14 The Legal Adviser and the Democratic Services Officer shall accompany the Sub-Committee when they retire to make their deliberations.

9.0 Determination of applications

9.1 The Sub-Committee shall give appropriate weight to:

- (a) the Relevant Representations (including supporting information) presented by all the parties;

- (b) national guidance;
- (c) the Licensing Authority's Licensing/Gambling Policy; and
- (d) the steps that are necessary to promote the licensing objectives.

9.2 The Sub-Committee shall make its determination:

- (a) at the conclusion of the hearing in accordance with the relevant Regulations; or
- (b) within 5 working days thereafter (all other cases).

9.3 The determination shall be issued by the Director of Neighbourhood Services under delegated authority.

10.0 Role of Legal Adviser

10.1 The Sub-Committee may seek advice or clarification of any procedural, technical or legal matter from the Legal Adviser at any time during the course of the hearing.

10.2 The Legal Adviser shall provide the Sub-Committee with any advice it requires properly to perform its functions, on:

- (a) questions of law;
- (b) questions of mixed fact and law;
- (c) matters of practice and procedure;
- (d) the range of options available to the Sub-Committee;
- (e) any relevant decisions of courts;
- (f) relevant national guidance or policy;
- (g) other issues relevant to the matter before the Sub-Committee.

10.3 The Legal Adviser shall assist the Sub-Committee where appropriate as to the formulation of reasons and the recording of those reasons.

10.4 The Legal Adviser shall play no part in making findings of fact, but may assist the Sub-Committee by reminding it of the evidence taken from his/her own or the Democratic Services Officer's notes.

- 10.5 The Legal Adviser may ask questions of witnesses and the parties in order to clarify the evidence and any issues in the case. The Legal Adviser is under a duty to ensure that every case is conducted fairly.

11.0 Role of Democratic Services Officer

- 11.1 The Democratic Services Officer's role shall be to make a record of the proceedings, summarise and record decisions and to provide help and assistance to members of the public attending hearings.

12.0 Role of Licensing Officer

- 12.1 The Licensing Officer will present the pertinent facts of the application and the representations made by parties to the hearing.

13.0 Failure of parties to attend the hearing

- 13.1 If a Party to the Hearing has informed the Licensing Authority that he/she does not intend to attend or be represented at the hearing, the hearing may proceed in his/her absence.
- 13.2 If a Party to the Hearing fails to provide notification in accordance with paragraph 13.1 above, and fails to attend or be represented at a hearing, the Sub-Committee may:
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
 - (b) hold the hearing in the party's absence and shall consider at the hearing, the application, Relevant Representations or notice made or submitted by that party.

14.0 Adjournments

- 14.1 Subject to the provisions of the Regulations, the Sub-Committee may, where necessary for its consideration of any relevant representations or notice made by a party to the hearing, adjourn the hearing to a specified date.

- 14.2 Where the Sub-Committee adjourns the hearing to a specified date, it shall forthwith notify the Parties to the Hearing of the date, time and place.

15.0 Right of Appeal

- 15.1 The applicant has a right of appeal to the Magistrates' Court within 21 days (beginning with the day on which the applicant was notified of the decision of the Licensing Authority) against a decision.
- 15.2 A person who made relevant representations and the Chief Officer of Police has a right of appeal to the Magistrates' Court within 21 days (beginning with the day on which the person was notified of the decision of the Licensing Authority) against a decision.

Definitions

Term	Meaning
Affected Person	In relation to the Affected Premises, the holder of a premises licence or club premises certificate or club gaming/club machine permit or other permit issued under the Gambling Act 2005, the premises user in relation to a temporary event notice or temporary use notice, the applicant for a premises licence or club premises certificate or club gaming/club machine permit or other permit issued under the Gambling Act 2005 (where the application has not been determined), a person in receipt of a provisional statement and an applicant for the grant or renewal of a personal licence.
Affected Premises	The premises that are the subject of the Application.
Application – Gambling Act 2005	The application for the grant, variation or review of premises licences or the grant or cancellation of permits or the consideration of temporary use notices.
Application – Licensing Act 2003	The application for the grant, variation or review of a premises licence or club premises certificate, the application for a temporary event notice or the application for the grant or renewal of a personal licence.
Interest	A Disclosable Pecuniary Interest as defined in the Council's Members' Code of Conduct.
Interested Person – Gambling Act 2005	Any persons living in the vicinity of the Affected Premises that are likely to be affected by the Application, or those persons who are involved in a business

	in the vicinity of the Affected Premises that might be affected by the Application or any person who is representing such persons.
Interested Person – Licensing Act 2003	Any persons making Relevant Representations or any person who is representing such persons.
Licensing Authority	East Hertfordshire District Council
Parties to the Hearing	Affected Person, Interested Person and Responsible Authorities.
Relevant Representations	Representations that relate to one or more of the licensing objectives made by an Affected Person, Interested Person or Responsible Authority.
Responsible Authority	The bodies that must be fully notified of the Application and that are entitled to make representations to the Licensing Authority on the Application and include the chief officer of police, the fire & rescue authority, the local planning authority, environmental health, primary care trusts and public health boards for the area in which the Affected Premises are situated.

EAST HERTS COUNCIL

LICENSING SUB-COMMITTEE – 13 JULY 2018

REPORT BY JONATHAN GEALL – HEAD OF HOUSING AND HEALTH

APPLICATION FOR VARIATION OF THE PREMISES LICENCE FOR THE GRAPEVINE OFF LICENCE, UNIT 1, 18/20 PARLIAMENT SQUARE, HERTFORD. SG14 1EZ

WARD(S) AFFECTED: HERTFORD - CASTLE

Purpose/Summary of Report

- An application to vary the hours for licensable activity at the above premises has been received. An objection to that variation has been received so the decision falls to a Sub-Committee of the Licensing Committee. The report is to inform that decision.

<u>RECOMMENDATIONS FOR LICENSING SUB-COMMITTEE: That:</u>	
(A)	The application be decided

1.0 Background

1.1 Under the Licensing Act 2003 an application for a new or variation to a licence or certificate is granted by officers under delegated authority if no valid representations are received.

1.2 Where valid representations are received the Licensing Authority's discretion is engaged. A Licensing Sub-Committee has the delegated authority to determine applications for new

and varied Licences and Certificates. This decision must be made whilst having regard to the Licensing Objectives, the Licensing Authority's own Statement of Licensing Policy and to statutory guidance issued by the Secretary of State under section 182 of the Licensing Act.

1.3 The Licensing Objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the Protection of children from harm.

1.3 In determining this application, the Sub-Committee must have regard to the representations and take such steps as it considers appropriate for the promotion of licensing objectives. The steps available to the Sub-Committee are:

- a) grant the application in full
- b) modify the conditions of the licence volunteered by the applicant in the operating schedule, by altering or omitting or adding them
- c) reject the whole or part of the application.

2.0 Report

2.1 The valid variation application submitted by the licence holder, Mr Ali Conbolat, was received by the licensing authority on 22nd May 2018. The application was correctly advertised and consulted upon as required.

2.2 The application seeks to vary the hours for the sale of alcohol and opening hours on a Thursday through to Saturday. The table below shows the currently granted hours for licensable activity on a Thursday through to Saturday and those requested as part of the variation:

Activity	Granted	Requested
Sale of alcohol	08:00 – 00:00	08:00 – 02:00 (+2:00)
Opening times	08:00 – 00:00	08:00 – 02:00 (+2:00)

- 2.3 Part M of the application form asks the applicant to describe any additional steps they intend to take to promote the four licensing objectives as a result of the variation. The applicant has stated a number of controls that will be put in place. These controls include an extra employee and security during the new opening hours. The applicant states there shall be 4 CCTV cameras recording inside and out 24 hours a day and the use of a "Red Care" Alarm system that is connected to the Police for rapid response if necessary. A redacted copy of the application form is attached as **Essential Reference Paper 'B'** and a redacted copy of the current premises licence is attached as **Essential Reference Paper 'C'**.
- 2.4 During the 28 day statutory public consultation three valid representations were received. A representation was received from Hertfordshire Constabulary acting as a Responsible Authority. This representation is attached as **Essential Reference Paper 'D'**.
- 2.5 This representation raises concerns by Hertfordshire Constabulary of the application and the impact of having alcohol sales off the premises at this specific location until 2am. These concerns are raised as it thought that the application will have an impact on "The crime and disorder", "The prevention of public nuisance" and "Public Safety" licensing objectives.
- 2.6 The constabulary have given statistics specifically on Friday and Saturday (and Sundays where there has been a Bank Holiday).
- 2.7 The representation received provides a summary of concerns of the Constabulary under Section 3 of the representation.

3.0 Policy and Guidance

- 3.1 Section 4 of the East Herts Statement of Licensing Policy details definitions of premises and location and operation of premises (differentiating between Town Centre locations and other areas). Under this section of the policy the operation of The Grapevine off licence best fits the definition of an off licence:

The sale of alcohol for consumption away from the premises

- 3.2 The premises fall within what is considered in section 6 of the Statement of Licensing Policy to be Hertford Town Centre. The table at 4.3 of the policy details this authorities approach to licensing premises when it has received relevant representations to an application. Notwithstanding that each application is considered on its own merits the following hours would normally be granted to this style of premises in this location when valid and relevant representations have been received:

Will generally be allowed alcohol sales to Midnight only

- 3.3 The current hours for The Grapevine off licence on a Thursday to Saturday night are within this policy but the requested variation would take the licensable hours outside of the authority's policy.

- 3.4 Section 6 of the Statement of Licensing Policy details the authority's aspiration to create family friendly Town Centres. The approach to this is detailed in paragraph 6.4 of the policy:

1. Where relevant representations have been received, we will consider granting applications which limit the hours of operation to those set out in this policy unless the exceptions detailed below can be demonstrated.

2. N/A

3. Where relevant representations have been received against the sale of alcohol after 10 pm and exceptions can be shown, we will consider whether premises shall be required to demonstrate they have an effective dispersal management plan in place; to install a closed-circuit television system that meets the reasonable requirements of Hertfordshire Constabulary; installing an electronic identification entry system; and to have use of a Pubwatch radio.

3.5 Paragraph 6.6 of the policy details matters that will be taken into account under this part of the policy where relevant representations have been received against an application. Does the application:

(1) contribute to the family-friendly development of the town centres; or

(2) effect a real reduction in the capacity for alcohol sales in that premises (for example by replacing a vertical drinking establishment with seated consumption and waiter/waitress service).

3.6 Where an applicant wishes an exception to this policy to be considered it is their responsibility to evidence this.

3.7 Paragraph 9.37 and 9.38 of the revised Guidance issued under section 182 of the Licensing Act 2003 states:

As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- the Revised Guidance issued under section 182 of the Licensing Act 2003 ;
- its own statement of licensing policy.

3.8 Paragraphs 9.42-9.44 deal with how to determine actions that are appropriate for the promotion of the licensing objectives.

3.9 If Members are minded to impose conditions to mitigate concerns regarding the undermining of the licensing objectives then Chapter 10 of the guidance deals with conditions attached to premises licences. Paragraphs 10.8-10.10, 10.13-10.15 would be particularly relevant.

4.0 Officer observations

4.1 As stated in the Guidance the authority's decision should be evidence based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

4.2 Members should consider if they believe the applicant has provided evidence that the proposed variation would promote and not undermine the licensing objectives. This evidence should be balanced against the evidence given by those making representations against the application that the licensing objectives would be undermined.

4.3 Members should consider the conditions that are already present on the licence and whether these are adequate to

promote the licensing objectives during the extend hours of operation. The applicant believes this is the case as they have not offered any additional steps to help promote the licensing objectives.

- 4.4 To help establish whether this is the case Members are free to question those in attendance from both sides. If Members believe that the representations are evidence that the operation of the premises already undermines the licensing objectives then it is appropriate to believe that this will, without further measures being put in place, continue into the extended period.
- 4.5 If Members believe that the evidence shows that the variation will promote the licensing objectives then the application should be granted in full.
- 4.6 If Members believe that there is evidence that the granting of the variation would not promote the licensing objectives then it is within their remit to take the action they believe is appropriate and proportionate to address their concerns. Put in its simplest terms what are the minimum measures that can be put in place to address the concerns? Refusal of the application should be the last option considered.
- 4.7 If the applicant has not demonstrated that there should be an exception to the Family Friendly Town Centre Policy then Members may think it appropriate to limit the hours to those within the policy (see paragraph 3.2 above).
- 4.8 However if simply limiting the hours to those within the policy does not mitigate Members' concerns regarding the promotion of the licensing objectives then the option to impose appropriate and proportionate conditions is available.
- 4.9 Additional conditions could only be imposed during any additional hours granted as part of this application and could

not be applied to the hours the premises already benefits from.

- 4.10 In considering additional conditions Members should decide whether these steps would in fact address their concerns if the decision was made to grant hours beyond those within policy? Members are free to depart from the policy but should clearly explain why this has been done when giving detailed reasons for their decision.
- 4.11 If Members believe that there is evidence that shows that there are no steps that can be taken to ensure that any variation in hours would promote the licensing objectives then the application should be refused.
- 4.12 When the Licensing Sub-Committee gives its decision to those in attendance it should be made clear to all parties how much weight has been attached to each submission and why and what evidence Members have relied upon when reaching their decision.

5.0 Implications/Consultations

- 5.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

East Herts Statement of Licensing Policy 2016

Contact Officer: Jonathan Geall – Head of Housing and Health
Contact Tel No 01992 531594
jonathan.geall@eastherts.gov.uk

Report Author: Brad Wheeler – Senior Licensing & Enforcement Officer
brad.wheeler@eastherts.gov.uk

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives	Priority 1 – Improve the health and wellbeing of our communities Priority 2 – Enhance the quality of people's lives Priority 3 – Enable a flourishing local economy
Consultation:	The application was subject to the statutory 28 days public consultation. Further a representation from a Responsible Authority with regards to the application was received in this period.
Legal:	The decision of the Licensing Sub-Committee can be appealed by any party to the proceedings.
Financial:	There could be cost implications for the authority if its decision is appealed.
Human Resource:	<ul style="list-style-type: none">• Not Applicable
Risk Management:	<ul style="list-style-type: none">• Not Applicable
Health and wellbeing – issues and impacts:	Improve the health and wellbeing of our communities by ensuring that licence holders promote the Licensing Objectives.
Equality Impact Assessment required:	No

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18/0670/PLV

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I 
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below






Premises licence number PL0016/8062
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Grapevine Off Licence UNIT1, 18/20 PARLIAMENT SQUARE, HERTFORD			
Post town	HERTFORD	Postcode	SG14 1EZ

Telephone number at premises (if any)	01992558788
Non-domestic rateable value of premises	£11,000.00

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☒ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
AN OFF LICENCE PREMISES SITUATED ON MAIN HIGH ROAD
PROPOSED TO EXTEND THE OPENING HOURS FOR THE SALE BY
RETAIL OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES FROM:

MONDAY TO SUNDAY.
BETWEEN 08:00 A.M. TO 02:00 A.M.

PLEASE SEE ENCLOSED PREMISES LICENCE FOR THE CURRENT OPENING HOURS. WE WOULD LIKE TO EXTEND THE TIME FROM MIDNIGHT TO 02:00 A.M. ON THURSDAY TO SATURDAY

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I) ☐

Supply of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details <u>here</u> (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Fri					
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur					
			Non standard timings: Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	
Tue				
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)	
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon	08:00	02:00			
Tue	08:00	02:00			
Wed	08:00	02:00			
Thur	08:00	02:00			
Fri	08:00	02:00			
Sat	08:00	02:00			
Sun	08:00	02:00			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>n/a</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08:00	02:00	
Tue	08:00	02:00	
Wed	08:00	02:00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Thur	08:00	02:00	
Fri	08:00	02:00	
Sat	08:00	02:00	
Sun	08:00	02:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

N/A

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

We have undertaken following steps to promote the licensing objectives

- 1- Extra one employee will be employed during new opening hours
- 2- Extra security will be employed during the new opening hours

b) The prevention of crime and disorder

- 1- Premises have 4 CCTV recording for 24 hours from both inside and outside to monitor customers' behaviours.
- 2- For extra hours there will be a member of staff monitoring entrance of premises at all time to prevent any disorder and crime.
- 3- Red care alarm system connected to police for rapid response in situations of disorder which may be endangers the customers and staff on the premises
- 4- Strictly no sale of alcohol to person under age of 18, prostitute or drunken person

c) Public safety

- 1- There is fire exit in the premises, two fire extinguishers, emergency fire points and fire safety signs shows way out in case of emergency
- 2- There is access and exist for disabled people this enable their safe evacuation in the event of an emergency.
- 3- There is First Aid Kits
- 4- Premises comply with relevant building regulation
- 5- Fire test certificate

d) The prevention of public nuisance

- 1- Now we employed new staff who will work during extra opening hours to observe and monitor children coming into premises.
- 2- As a company policy we ensure no sell will be made without proof ID card or passport
- 3- As a company policy we hold sale refusal booklet. Strictly no ID no sale policy for young customers
- 4- I Ali Canbolat have been working in the area for 21 years hence I am familiar with the customer base.

e) The protection of children from harm

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	18.05.2018
Capacity	OWNER

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

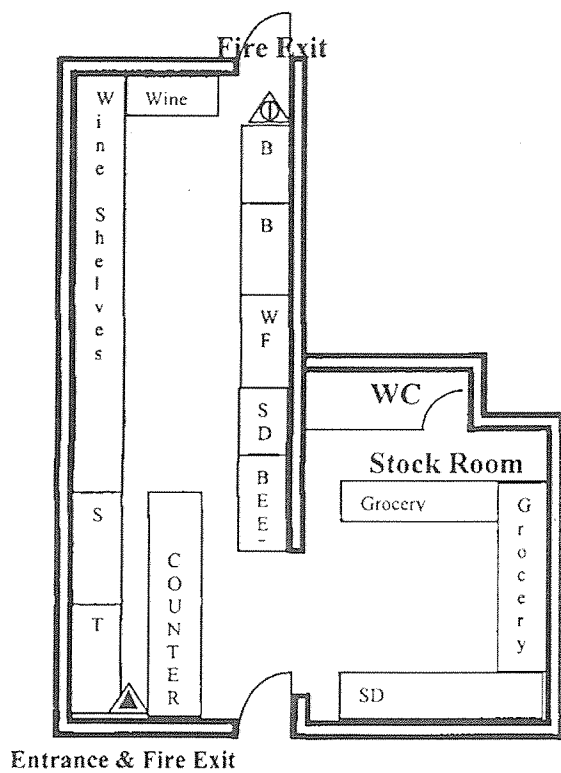
Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

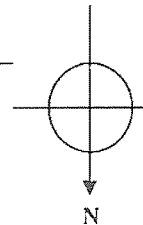
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.



Keys	
	Co2 2KG
	Ho2 9LT
B=	Beers Fridges
S =	Spirits Shelves
T=	Tobacco
SD=	Soft Drinks

Grapevine Off- Licence
 Unit1, 18/20 Parliament Square
 Hertford SG14 1EZ
 GROUND FLOOR PLAN
 Scale 1:100

PARLIAMENT SQUARE



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Licence No: PL0016

Part 1 - Premises Details

The Grapevine Off Licence Ltd

Telephone 01992 558788

Not applicable

- the sale by retail of alcohol

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption	OFF the premises only		
	Sunday - Wednesday	8:00am	2:00am
	Thursday to Saturday	8:00am	Midnight
	Christmas Day	Noon	3:00pm
	Christmas Day	7:00pm	10:30pm
	Good Friday	8:00am	10:30pm

Description	Time From	Time To
Sunday - Wednesday	8:00am	2:00am
Thursday to Saturday	8:00am	Midnight
Christmas Day	Noon	3:00pm
	7:00pm	10:30pm
Good Friday	8:00am	10:30pm

- M. The sale by retail of alcohol for consumption OFF the premises only

NAME (REGISTERED) ADDRESS TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



District of East Hertfordshire Premises Licence

Licence No: PL0016

Licensing Act 2003

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL	
<div>[REDACTED]</div> <div>[REDACTED]</div>	
PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL	
Licence No. <div>[REDACTED]</div>	Issued by Barnet



District of East Hertfordshire Premises Licence

Licence No: PL0016

Licensing Act 2003

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

Where a premises licence authorises the supply of alcohol:-

No supply of alcohol may be made under the premises licence:-

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Where a premises licence authorises the exhibition of films, the admission of children to the exhibition of any film must be restricted in accordance with:-

- a) any recommendation made by any film classification body specified in the licence, unless clause 2 below applies
- b) any recommendation made by this licensing authority if the film classification body is not specified in the licence, and this licensing authority has notified the licence holder that section 20 (3) (b) or the 2003 Act applies to the film in question.

If this premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

Except:-

- a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
- b) in respect of premises in relation to:-
 - i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or



District of East Hertfordshire Premises Licence

Licence No: PL0016

Licensing Act 2003

ANNEXES continued

- ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act)

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The permitted hours do not prohibit:

- a) during the first twenty minutes after the permitted hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

The opening hours stated on this licence only restrict the hours that which may be open for licensable activities. The premises may open for non-licensable activities outside of these hours.

Premises have CCTV recording for 24 hours from both inside and outside to monitor customers behaviour.

Staff to ensure no minors gather around front of premises.

For extra hours there will be a member of staff monitoring entrance of premises at all times to prevent any crime and disorder.

No alcohol to be consumed around the premises.

A member of staff to monitor entrance of premises, making sure late customers leave the premises quietly.

Strictly No ID No sale policy for young customers and a sale refusal book to be kept.



District of East Hertfordshire Premises Licence

Licence No: PL0016

Licensing Act 2003

Summary

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

The Grapevine Off Licence Ltd

Unit 1,, 18/20 Parliament Square, Hertford, Herts, SG14 1EZ.

Telephone 01992 558788

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Sunday - Wednesday	8:00am	2:00am
	Thursday to Saturday	8:00am	Midnight
	Christmas Day	Noon	3:00pm
	Christmas Day	7:00pm	10:30pm
	Good Friday	8:00am	10:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday - Wednesday	8:00am	2:00am
Thursday to Saturday	8:00am	Midnight
Christmas Day	Noon	3:00pm
	7:00pm	10:30pm
Good Friday	8:00am	10:30pm

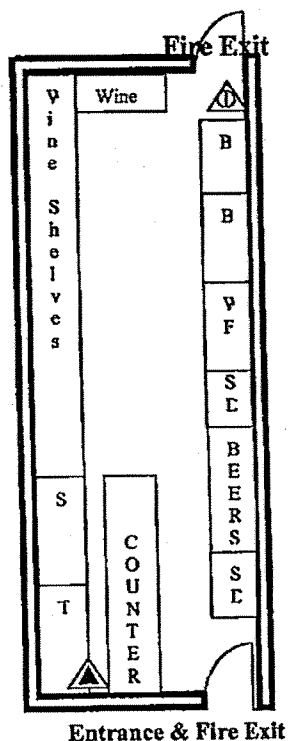
WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

NAME (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

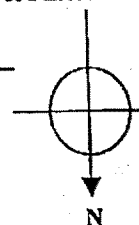
NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL



Keys	
	Co2 2KG
	Ho2 9LT
B	Beers Fridges
S	Spirits Shelves
T	Tobacco
SD	Soft Drinks

Grapevine Off- Licence
Unit1, 18/20 Parliament Square
Hertford SG14 1EZ
GROUND FLOOR PLAN
Scale 1:100

PARLIAMENT SQUARE



Annex 4 – Plans

This plan is a photocopy and/or reduction from the Plans drawn at standard scale and held on the East Hertfordshire District Council Statutory register, and That are definitive of the licensed area. This copy is Not to scale, and is included with the licence for Illustration only of the licensed area.



District of East Hertfordshire Premises Licence

Licence No: PL0016

Licensing Act 2003

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

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Appendix A

The governing principles of the Licensing Act are the four Licensing Objectives. All organisations and individuals involved in the running of Licensed Premises must do so with a view to promoting these Objectives:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

This objection is carried out in regards to the Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety.

1 The Application and Premise

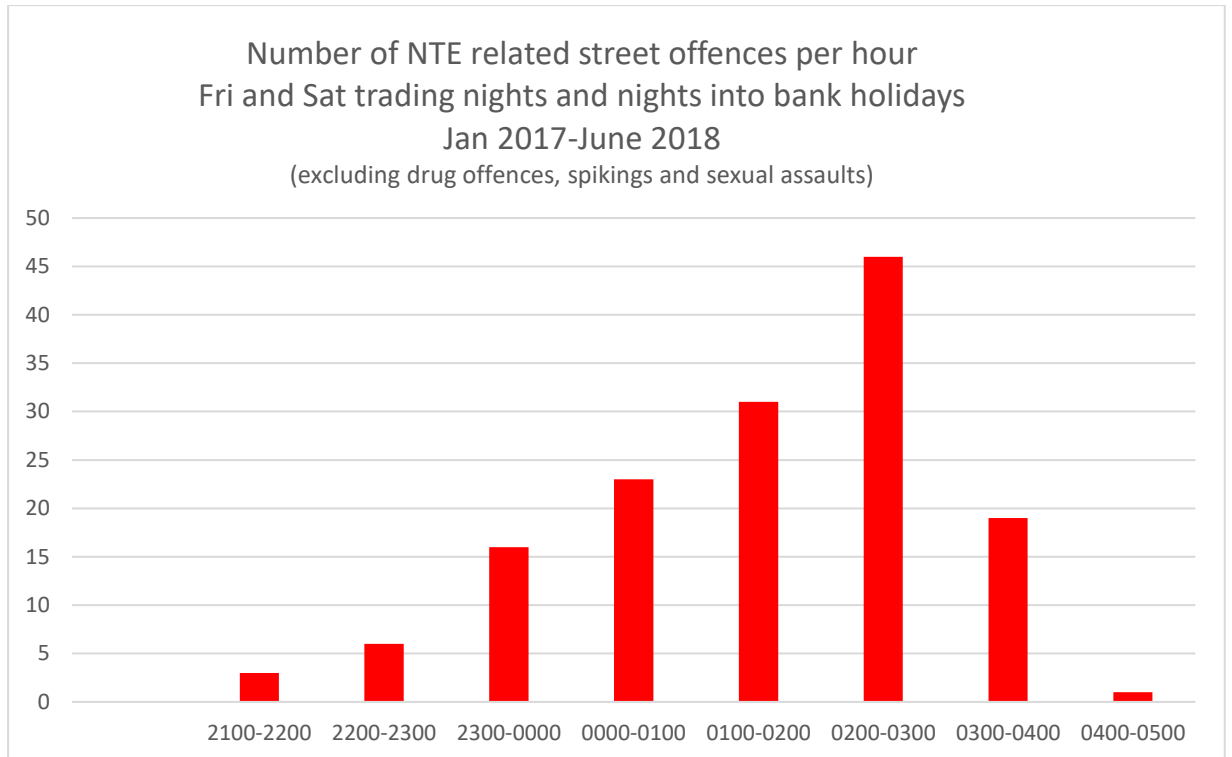
- 1.1** The application was received on 23rd May 2018 from [REDACTED] who are the acting Agent in relation to The Grapevine Off Licence, Unit 1, 18/20 Parliament Square, Hertford SG14 1EZ.
- 1.2** The premise currently has a licence authorising off sales of alcohol Sunday to Wednesday 08:00hrs until 02:00hrs and Thursday to Saturday 08:00hrs until 00:00hrs. The application applies to vary the licensable hours for the supply of alcohol to 08:00hrs to 02:00hrs Thursday to Saturday.
- 1.3** The application states the premises will employ another employee during the new opening times and they will provide security. It is unclear on the application form what is meant by this however they have since stated that this will be a security guard. They also state in the application that they have a Red Care alarm system which is connected to the Police for a rapid response in situation of disorder.
- 1.4** The premise currently sells a large variety of alcohol. They sell single cans / bottles of high strength beers and ciders and pocket sized spirits amongst the general wine and spirit selection.

2 The impact of having alcohol available through off sales at this location until 2am

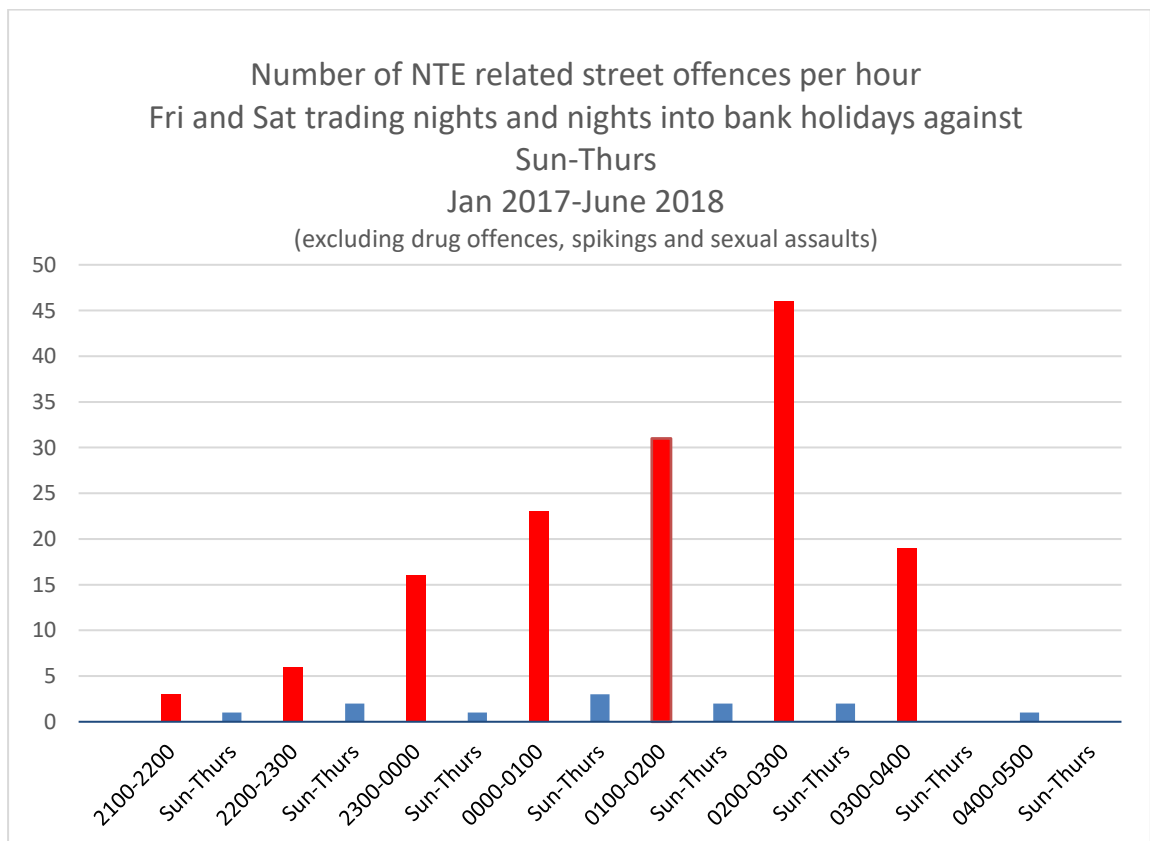
- 2.1** Alcohol sales passed 23:00hrs on Friday and Saturday nights are more likely to get customers attending who are already drunk wanting more alcohol. This is especially true of this premise due to its location in an area with a busy night time economy. The potential for assaults on staff, theft and anti-social behaviour on the premises will increase as a result of having alcohol for sale until 02:00hrs.

Refusing to sell alcohol to those who are already drunk often creates issues in itself. There will undoubtedly be situations when customers have to be refused in the early hours due to them being drunk. Those under the influence are more likely to get frustrated, angry and aggressive if they are refused when they know alcohol can be sold. The risk of criminal offences occurring as a result is high. The fact that the store has a Red Care alarm system shows that they too believe this is a risk. An alarm system will enable staff to contact Police quickly but this will not prevent the issue occurring in the first place. Having a security guard will assist the situation however it will not necessarily prevent incidents from occurring.

- 2.2** The staff will have no control of those who make purchases once they have left the shop. This is the key difference between premises that have on licence sales and those who have off sales. There is no control of the consumption of alcohol as they will have left the shop and will consume it where they wish. It is more likely during later hours for alcohol to then be consumed in public areas within the Town Centre. This will result in anti-social behaviour from street drinkers which is further exacerbated by the availability of high strength alcohol. There are no measures that can be put in place to reduce or deal with this issue.
- 2.3** The sale of glass bottles for consumption off the premises is a concern due to the potential for glass bottles to be used as weapons. There have been serious assaults within Hertford Town Centre whereby bottles have been used as weapons. All on licence premises have policies to prevent people leaving with glass bottles or glasses. An unacceptable risk will be created if glass bottles are sold for consumption off the premise at this high risk time.
- 2.4** Due to the close proximity to nightclubs and Kebab Shops it will encourage congregation on a narrow street. There are residential properties in the vicinity of the location which will result/contribute to public nuisance.
- 2.5** Having alcohol available in close proximity to residential addresses allows house parties to continue as alcohol can be restocked easily. It also enables people on their way home from a night out to purchase alcohol which is then likely to be consumed while walking home meaning that street drinking and the anti-social behaviour associated with it increases.
- 2.6** It is well known and documented that there is a link between alcohol consumption and crime especially in relation to violent crime. Alcohol is a disinhibitor that also impairs judgement. National statistics suggest that nearly 50% of all violent crime involves alcohol and nearly 40% of all domestic violence incidents are linked to drunkenness.
- 2.7** Hertford Town Centre has seen a rise in violent crime. The level of crime increases dramatically between 22:00hrs and 03:00hrs on Friday and Saturday nights and nights leading into bank holidays. The graph below shows the number of crimes per hour recorded between January 2017 and June 2018 in Hertford Town Centre, on Friday and Saturday trading nights and also trading nights into bank holidays. The graph shows only the offences that have been committed on the street rather than within other premises.



In contrast the below graph shows the Friday, Saturday and nights into bank holiday trading nights in comparison to the other nights of the week.



Having the availability of alcohol through off sales between 00:00-02:00hrs on Friday and Saturday nights as requested by the applicant will only exacerbate the high risk period.

3. Summary of Concerns

Hertfordshire Constabulary's concerns are summarised as follows;

- 3.1 Increased risk of assaults and public order offences at the premise specifically where staff are likely to be victims.
- 3.2 No control over where alcohol is consumed once purchased.
- 3.3 The consumption of high volume alcohol in public places.
- 3.4 The availability of alcohol, especially in relation to high volume alcohol, near to residential houses at unsociable times.
- 3.5 The public safety risk of having bottles within public areas at high risk times.
- 3.6 The impact of having alcohol available until 02:00 in this specific area which will increase crime and disorder locally.
- 3.7 The risk of anti-social behaviour at the Location and the impact this will have on the local residents causing a public nuisance and a greater risk of crime and disorder.

In summary the hours being requested are excessive. The sale of alcohol in this area will impact negatively on crime and disorder and public nuisance and cause a risk to public safety. Unnecessary high risks will be present should this application be granted. It is not felt that there are any conditions that would reduce this risk or deal with the points raised in this objection. The Licensing Sub Committee is asked to refuse this application for the reasons stated in regards to the Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety.

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Licensing Officer

East Herts Community Safety Unit

28th June 2018

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