



*Alison Stuart
Head of Legal and
Democratic Services*

MEETING : LICENSING SUB-COMMITTEE
VENUE : MEETING ROOM A AND B - CHARRINGTONS HOUSE,
BISHOP'S STORTFORD
DATE : MONDAY 21 MAY 2018
TIME : 2.00 PM

MEMBERS OF THE SUB-COMMITTEE

Councillors R Brunton, B Deering and J Jones

COMMITTEE OFFICER:
LORRAINE BLACKBURN
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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.)

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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.

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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. Minutes - 28 March 2018 (Pages 5 - 8)

To approve the Minutes of Previous Sub-Committee meetings:

28 March 2018

6. Summary of Procedure (Pages 9 - 16)

A summary of the procedure to be followed during consideration of item 7 is attached.

7. Application for Variation of the Premises Licence for Bacchus, Anchor Street, Bishop's Stortford, CM23 3BP (Pages 17 - 50)

8. 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.

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 28 MARCH
2018, AT 10.00 AM

PRESENT: Councillor B Deering (Chairman)
Councillors R Brunton and N Symonds

OFFICERS IN ATTENDANCE:

Peter Agbley	- Licensing Officer
Simon Aley	- Interim Legal Services Manager
Peter Mannings	- Democratic Services Officer
Fabien Simms	- Environmental Health Technical Officer
Claire Spendley	- Senior Environmental Health Officer
Paul Thomas-Jones	- Environmental Health Manager - Commercial

20 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor R Brunton and seconded by Councillor N Symonds that Councillor B Deering be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor B Deering be

appointed Chairman of the Licensing Sub-Committee for the meeting.

21 MINUTES - 27 NOVEMBER 2017

RESOLVED – that the Minutes of the meeting held on 27 November 2017 be confirmed as a correct record and signed by the Chairman.

22 APPLICATION BY JOAB ARCHER FOR A TEMPORARY EVENT NOTICE FOR THE MIXER, 6 BALDOCK STREET, WARE, HERTFORDSHIRE, SG12 9DZ

The Chairman outlined the procedure to be followed. All those present were introduced. The Licensing Officer advised that the case related to an application for Temporary Event Notices (TENS) at The Mixer, 6 Baldock Street, Ware, Herts, SG12 9DZ.

Members were advised that the dates for the proposed temporary events were 31 March and 7 April 2018. The TENS had both been contested and were for regulated entertainment and the sale of alcohol.

The Licensing Officer detailed the opening hours of the premises and advised Members that the application had been received on 9 March 2018. The closing date for representations had been 14 March 2018 and an objection had been made by Environmental Health to both notices on the grounds of public nuisance. The objection was detailed on pages 45 and 46 of the report submitted.

Members were advised that the applicant had been in

contact with Environmental Health and there had been an agreement that all Licensing conditions would be carried over from the Premises Licence and applied to both TENs.

The applicant confirmed that he did not hold regular music events at The Mixer and the premises was not a nightclub. He confirmed that The Mixer was a community establishment and he would comply with all licensing conditions.

The Environmental Health Officer confirmed that she was content that applying the licensing conditions from the premises licence to the TENs would help to prevent issues of public nuisance at both events and in future. She also highlighted that a number of complaints has been received from past events which was why environmental health had raised concerns. A local resident and interested person confirmed that music had been too loud on occasion. He referred in particular, to the summer when he would be more likely to have windows open. He confirmed, however, that he was prepared to act as a go-between with the applicant and the local community as required going forward. The applicant and Officers were given the opportunity to make closing comments.

At the conclusion of closing submissions, the Sub-Committee, the Democratic Services Officer and the Interim Legal Services Manager withdrew to allow Members to consider the evidence.

Following this the Members and Officers returned and the Chairman announced that the Sub-Committee had

listened to the comments of the Licensing Officer, the Environmental Health Officer, the applicant and a local resident and had approved the application for Temporary Event Notices (TENs). Members had been very pleased that an agreement had been reached between the applicant and Environmental Health to apply to the TENs all the licensing conditions from the Premises Licence.

RESOLVED – that for the reason now detailed, the application for Temporary Event Notices for The Mixer, 6 Baldock Street, Ware, Hertfordshire, SG12 9DZ on 31 March and 7 April 2018 be approved, subject to all the licensing conditions being carried over from the current premises licence.

The meeting closed at 10.19 am

Chairman
Date

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 – 21 MAY 2018

REPORT BY HEAD OF HOUSING AND HEALTH

APPLICATION FOR VARIATION OF THE PREMISES LICENCE FOR
BACCHUS, ANCHOR STREET, BISHOP'S STORTFORD, CM23 3BP

WARD(S) AFFECTED: BISHOP'S STORTFORD CENTRAL

Purpose/Summary of Report

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

<u>RECOMMENDATION 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:

- Prevention of Crime and Disorder;
- Public safety;
- Prevention of public nuisance; and
- Protection of children from harm

1.4 The actions open to the Licensing Sub-Committee are:

- Grant the application as applied for;
- Grant an appropriately amended application;
- Refuse the application.

2.0 Report

2.1 The valid variation application submitted by the licence holder, Breeze Bars Limited, was received by the licensing authority on 28 March 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, regulated entertainment, late night refreshment and opening hours for Monday nights into the early hours of Tuesday mornings. The table below shows the currently granted hours for licensable activity on a Monday and those requested as part of the variation:

Activity	Granted	Requested
Films	12:00 – 00:30	12:00 – 02:00 (+1:30)
Live Music	12:00 – 00:30	12:00 – 02:00 (+1:30)
Recorded Music	12:00 – 00:30	12:00 – 02:00 (+1:30)
Performances of dance	12:00 – 00:30	12:00 – 02:00 (+1:30)
Anything of a similar description	12:00 – 00:30	12:00 – 02:00 (+1:30)
Late night refreshment	23:00 – 00:30	23:00 – 02:00 (+1:30)

Activity	Granted	Requested
Sale of alcohol	12:00 – 00:00	12:00 – 02:00 (+1:30)
Opening times	12:00 – 00:30	12:00 – 02:00 (+1:30)

- 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 states that they believe that no additional conditions are required and as such have not detailed any additional steps. 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. Two of the representations were from East Herts Councillor's and the third was from an individual who lives and owns a business in the vicinity of Bacchus. The representations are attached as **Essential Reference Paper 'D'**.
- 2.5 The first representation seeks the refusal of the variation and is based on the assertion that the current operation of the premises already undermines the licensing objectives of prevention of public nuisance and prevention of crime and disorder. The representation details issues affecting the individual as a business owner as well as issues impacting on his family life.
- 2.6 It should be noted by Members that the purpose of the hearing today is to decide the application for variation and cannot be used to address issue, real or alleged, that are currently associated with the operation of the premises. However, if Members believe that there are current issues related to the management of the premises then this would be grounds for concern with regards to granting the application for extended hours.

- 2.7 The second representation was received from Councillor George Cutting (Bishops Stortford Central Ward). Councillor Cutting's representation is made on the basis that the proposed variation would undermine the prevention of public nuisance, prevention of crime & disorder and public safety objectives. The representation mentions the closure of nearby licensed premises (Club 7) and that Bacchus are making this application to gain additional trade from Air Crew that used to visit the now closed premises on a Monday night. Councillor Cutting mentions having spoken to the Police regarding incidents that occurred on a Monday evening at Club 7. It should be noted that the Police have not made representation against this variation application.
- 2.8 Councillor Cutting cites the lack of taxi marshalls on a Monday evening as having an impact on public safety as it will affect how fast and crowds disperse.
- 2.9 Councillor Cutting states that local residents have historically been disturbed by noise emanating from and created outside of these particular premises. He references their right to remain undisturbed, especially in the early hours.
- 2.10 The third representation was received from Councillor Norma Symonds (Bishops Stortford Central Ward) and is based on prevention of public nuisance and the prevention of crime & disorder. Councillor Symonds again reiterates that the premises are already causing disturbance to residents that live nearby. Councillor Symonds makes the link between the availability of alcohol and anti-social behaviour and states that the police have been called to the premises before.
- 2.11 Councillor Symonds references the closure of Club 7 and that Monday evenings was traditionally the Cabin Crew night and is afraid that this may lead to more anti-social behaviour and people drinking excessively.

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 Bacchus best fits the definition of a night club:

Primarily for the provision of licensable activities at night (typically including music and dancing), where alcohol sales are a strong feature

3.2 The premises fall within what is considered in section 6 of the Statement of Licensing Policy to be Bishop's Stortford 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 licensable activities to 1 am only and until 10.30 pm on Sunday (other than for special occasions)

3.3 The current hours for Bacchus on a Monday 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. *Where relevant representations have been received and exceptions can be shown for applications for public houses and night-clubs, we will consider whether to require waiter/table service for alcohol sales between 9 pm and the final time for the sale of alcohol.*
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;
- this Guidance;
- 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. Paragraph's 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 objective's 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 they should be an exception to the Family Friendly Town Centre Policy then Member's 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 -

<https://www.eastherts.gov.uk/article/35119/Licensing-Policy>

Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018) -

<https://assets.publishing.service.gov.uk/government/uploads/system>

[/uploads/attachment data/file/705327/Revised guidance issued under section 182 of the Licensing Act 2003 April 2018 .pdf](#)

Contact Officer: Jonathan Geall, Head of Housing and Health, Tel: 01992 531594 jonathan.geall@eastherts.gov.uk

Report Author: Oliver Rawlings, Service manager (Licensing and Enforcement), Tel: 01992 531629 oliver.rawlings@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

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. During this time the notice at the premises and in the local paper were verified.
Legal:	The decision of the Licensing Sub-Committee can be appealed by any part 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. Responsible retailing of alcohol will help to minimise the associate issues and impacts.
Equality Impact Assessment required:	No

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ESSENTIAL REFERENCE PAPER 'B'

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.

We Breeze Bars Limited

(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 16/0357/PLDPS
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Bacchus, Station Road, Anchor Street,			
Post town	Bishop's Stortford	Postcode	CM23 3BP

Telephone number at premises (if any)	01279 757 200
Non-domestic rateable value of premises	£71 500

Part 2 – Applicant details

Daytime contact telephone number	01279 757200		
E-mail address (optional)			
Current postal address if different from premises address	9 Church Street		
Post town	Bishop's Stortford	Postcode	CM23 2LY

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 2)

To vary the terminal hour for currently permitted licensable activities on Mondays until 02.00 on the day following, that is the sale of alcohol, regulated entertainment and late night refreshment.

No other changes to the hours of operation for licensable activities are sought.

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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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	X	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
				Both	<input type="checkbox"/>	
Mon	12.00	02.00	Please give further details here (please read guidance note 5)			
Tue	12.00	00.30				
Wed	12.00	00.30	State any seasonal variations for the exhibition of films (please read guidance note 6)			
Thur	12.00	02.30				
Fri	12.00	03.30	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 (please read guidance note 7)			
Sat	12.00	03.30		Sunday preceding Bank Holiday 12.00 to 03.30 New Year's Eve 12.00 to 03.30 Christmas Eve 12.00 to 03.30		
Sun	12.00	00.30				

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	12.00	02.00			
Tue	12.00	00.30			
Wed	12.00	00.30	State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	12.00	02.30			
Fri	12.00	03.30	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)		
Sat	12.00	03.30			
Sun	12.00	00.30			
			Sunday preceding Bank Holiday 12.00 to 03.30 New Year's Eve 12.00 to 03.30 Christmas Eve 12.00 to 03.30		

F

Recorded music Standard days and timings (please read guidance note 8)			Will the <u>playing of recorded music take place</u> <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	X
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	12.00	02.00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	12.00	00.30			
Wed	12.00	00.30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	12.00	02.30			
Fri	12.00	03.30	<u>Non standard timings. Where you intend to use the premises for the</u> <u>playing of recorded music at different times to those listed in the</u> <u>column on the left, please list</u> (please read guidance note 7) Sunday preceding Bank Holiday 12.00 to 03.30 New Year's Eve 12.00 to 03.30 Christmas Eve 12.00 to 03.30		
Sat	12.00	03.30			
Sun	12.00	00.30			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	12.00	02.00	Please give further details here (please read guidance note 5)		
Tue	12.00	00.30			
Wed	12.00	00.30	State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur	12.00	02.30			
Fri	12.00	03.30	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 (please read guidance note 7)		
Sat	12.00	03.30			
Sun	12.00	00.30			

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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	12.00	02.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	12.00	00.30	Please give further details here (please read guidance note 5)		
Wed	12.00	00.30			
Thur	12.00	02.30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri	12.00	03.30			
Sat	12.00	03.30	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 (please read guidance note 7)		
Sun	12.00	00.30			
			Sunday preceding Bank Holiday 12.00 to 03.30 New Year's Eve 12.00 to 03.30 Christmas Eve 12.00 to 03.30		

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 (please read guidance note 4)</u>	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	12.00	02.00	<u>Please give further details here (please read guidance note 5)</u>		
Tue	12.00	00.30			
Wed	12.00	00.30	<u>State any seasonal variations for the provision of late night refreshment (please read guidance note 6)</u>		
Thur	12.00	02.30			
Fri	12.00	03.30	<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 (please read guidance note 7)</u> Sunday preceding Bank Holiday 12.00 to 03.30 New Year's Eve 12.00 to 03.30 Christmas Eve 12.00 to 03.30		
Sat	12.00	03.30			
Sun	12.00	00.30			

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 type="checkbox"/>
				Both	X
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	12.00	02.00			
Tue	12.00	00.30			
Wed	12.00	00.30			
Thur	12.00	02.30			
Fri	12.00	03.30			
Sat	12.00	03.30			
Sun	12.00	00.30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) Sunday preceding Bank Holiday 12.00 to 03.30 New Year's Eve 12.00 to 03.30 Christmas Eve 12.00 to 03.30		

K

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).

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	12.00	02.00	<p>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)</p> <p>Sunday preceding Bank Holiday 12.00 to 03.30 New Year's Eve 12.00 to 03.30 Christmas Eve 12.00 to 03.30</p>
Tue	12.00	00.30	
Wed	12.00	00.30	
Thur	12.00	02.30	
Fri	12.00	03.30	
Sat	12.00	03.30	
Sun	12.00	00.30	

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/

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)

No additional conditions required

b) The prevention of crime and disorder

No additional conditions required

c) Public safety

No additional conditions required

d) The prevention of public nuisance

No additional conditions required

e) The protection of children from harm

No additional conditions required

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or X
- 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. X
- I understand that I must now advertise my application. X
- I have enclosed the premises licence or relevant part of it or explanation. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

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	27/3/18
Capacity	CLIFTON DAVIES CONSULTANCY LIMITED

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) SUZANNE DAVIES CLIFTON DAVIES CONSULTANCY LIMITED 6 LETTICE STREET			
Post town	LONDON	Post code	SW6 4EH
Telephone number (if any)	07767 666300		

**District of East Hertfordshire
Premises Licence
Licence No: 16/0357/PLDPS**

Licensing Act 2003

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION	
Bacchus Station Road, Anchor Street, Bishops Stortford, Hertfordshire, CM23 3BP	Telephone: 01279 757200

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES		
SALE OF ALCOHOL		
Friday and Saturday	12:00	03:00
Sunday to Wednesday	12:00	00:00
Thursday	12:00	02:00
The Sale of Alcohol shall also be permitted on the following days from 12:00 - 03:00 Sunday preceding Bank Holiday, New Year's Eve and Christmas Eve.		
PERFORMANCES OF DANCE (INDOORS)		
Friday and Saturday	12:00	03:30
Sunday to Wednesday	12:00	00:30
Thursday	12:00	02:30
FILMS (INDOORS)		
Friday and Saturday	12:00	03:30
Sunday to Wednesday	12:00	00:30
Thursday	12:00	02:30
LIVE MUSIC (INDOORS)		
Friday and Saturday	12:00	03:30
Sunday to Wednesday	12:00	00:30
Thursday	12:00	02:30
LATE NIGHT REFRESHMENT (INDOORS)		
Friday and Saturday	23:00	03:30
New Year's Eve	23:00	03:30
Sunday to Wednesday	23:00	00:30
Thursday	23:00	02:30
Christmas Eve	23:00	03:30
Late night refreshment is also permitted between 23:00 and 03:30 on any Sunday preceding a Bank Holiday.		
RECORDED MUSIC (INDOORS)		
Friday and Saturday	12:00	03:30
Sunday to Wednesday	12:00	00:30
Thursday	12:00	02:30

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**ENTERTAINMENT OF SIMILAR DESCRIPTION (INDOORS)**

Friday and Saturday	12:00	03:30
Sunday to Wednesday	12:00	00:30
Thursday	12:00	02:30

Performance of Dance, (Indoors), Films (Indoors), Live Music (Indoors), Recorded Music, (Indoors) and Entertainment of Similar description (Indoors) shall also be permitted on the following days from 12:00 - 03:30 Sunday preceding Bank Holiday, New Year's Eve and Christmas Eve.

THE OPENING HOURS OF THE PREMISES

Sunday preceding Bank Holiday	12:00	03:30
Friday and Saturday	12:00	03:30
New Year's Eve	12:00	03:30
Sunday to Wednesday	12:00	00:30
Thursday	12:00	02:30
Christmas Eve	12:00	03:30

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

Alcohol is supplied for consumption both on and off the Premises

Part 2**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Breeze Bars Ltd
9 Church Street, Bishop's Stortford, Hertfordshire, CM23 2LY
REDACTED

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

Company Number - 07371921

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Christopher Michael Allen
REDACTED

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Personal licence number: REDACTED
Licensing Authority: REDACTED

1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
6. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or

supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of this condition -

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

8. Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

9. (1) Sub-paragraph (2) applies where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

10. The admission of children under 18 to any film exhibition must be restricted in accordance with any recommendation made by the film classification body specified in section 4, Video Recordings Act 1984 unless the licensing authority notifies the holder of the premises licence that recommendations made by the licensing authority must be followed instead.

11. Any individual employed on the premises to conduct a security activity (within the meaning of paragraph

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. On nights when licensable activities are provided beyond 12 midnight, there will be from 10pm until 30 minutes following the time at which the sale of alcohol finishes:
 - a) a minimum of 1 SIA registered door supervisors on duty (when up to 100 people are on the premises) or more if the licence-holder's risk assessment for a particular event requires more, and
 - b) a minimum of 2 SIA registered door supervisors on duty (when between 100 and 200 people are on the premises) or more if the licence holders risk assessment for a particular event requires more, and
 - c) when the numbers on the premises exceeds 200 - there will be additional such door supervisors on duty at a ratio of 1:100 in respect of that excess, subject to the proviso that if, between 8pm and 10pm on any such night the numbers on the premises exceed 100, such door supervisor or door supervisors will be on duty at a ratio of 1:100; in each case with door supervisors assisting as street marshals:
 - i. to aid the safe dispersal of customers,
 - ii. to encourage customers to turn left out of the premises and not right in the direction of the residential area, and
 - iii. to organise taxi movements and activities to minimise disturbance and to discourage taxis from dropping off and picking up in Anchor Street and John Dyde Close.
2. At times when there are 3 door supervisors or more are on duty; at least one will be female and at least one male.
3. On nights when the premises are open beyond 12 midnight, in the event of absence of the DPS between 9pm and the closure of the premises, a personal licence holder will be on the premises acting in a position of responsibility.
4. The licensee will convene regular bi-monthly local residents' meetings.
5. The licensee will ensure that all management, staff (including door staff) are fully trained and briefed fully on the four licensing objectives and that they are adhered to.
6. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises license during which licensing activities are permitted.
7. The number of persons admitted to the premises shall not exceed the maximum occupancy of 490 (such number being inclusive of staff and performers working at the premises).
8. A suitable system to control entry to the premises will be used to count the number of persons entering and leaving the premises to ensure that the maximum specified occupancy is not exceeded at any one time. The counting system will be sufficiently accurate to inform an authorised person, on request, of the number of persons in the premises.
9. The licensee will be an active member of Pubwatch, including attendance at Pubwatch meetings and will support the Pubwatch Behave or be Banned scheme
10. The licensee will conduct an age verification check system requiring suitable identification to prevent the sale of alcohol to persons under the age of 18 years and bar staff will be suitably trained to prevent the sale of alcohol to under 18's. The following forms of ID will be acceptable as proof of age: photo driving licence, passport or a PASS accredited proof of age card such as Validate UK.
11. Any person in the premises under the age of 18 (save for (a) those attending a specific under-18 event where no alcohol is sold or (b) those consuming a meal) must be accompanied by an adult and under no circumstances will they be permitted to consume alcohol.
12. There will be no provision of adult entertainment as described in the application whilst any person aged under 18 is in the premises.

13. The licensee will require the door supervisors to maintain and implement an appropriate search policy in relation to persons entering the premises whilst they are on duty.
14. The licensee will maintain a register of all staff, including door supervisors who are working whilst the public are present
15. Toilets will be checked and the licensee will maintain a method of recording those checks
16. CCTV capable of covering both the inside and outside of the premises will be provided to enhance the safety of patrons and staff and will be maintained to the satisfaction of Hertfordshire Constabulary on the following basis:
 - a) all recording will be retained for a minimum of 28 days
 - b) viewable copies to be made available to the Police on request
 - c) CCTV will cover key and vulnerable parts of the premises, to include the main entrance/exit
 - d) all cameras will be maintained in good working order and will continually record save that the licensee will notify the Licensing Department at Stevenage Police Stevenage by email when the CCTV system is inoperative in excess of one day indicating the measures being taken to resolve the problem
17. The licensee will set up a robust system of management to control the number of persons queuing and the number of customers smoking outside the premises including:
 - a) defining areas for smoking and for queuing respectively
 - b) The Licensee will not permit more than 15 people to exit at any one time for smoking purposes
 - c) not permitting persons out of the building to smoke in the defined smoking area after the terminal hour for the sale of alcohol
18. Operational measures will be put in place and maintained so as to minimise the risk of noise or vibration emanating from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.
19. Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
20. External windows and external and internal doors to the lobby will be kept closed after 11pm whilst regulated entertainment is being provided, save for entrance to, and exit from, the premises.
21. Regular glass and bottle collections will be undertaken throughout the premises and patrons will not be permitted to leave the premises with any glasses or bottles.
22. Waste will not be emptied into external bins or bottle banks between the hours of 9pm and 9 am.
23. A written drugs policy will be in force at the premises with the objective of securing, as far as reasonably practical, the safety of patrons and others attending the premises.
24. A drugs register will be maintained within the premises together with a secure drug deposit box for the safe storage and containment of any drugs found.
25. All policies to be kept in a written format on the premises and be available to Police or the Licensing Authority or any responsible authority on request.
26. All staff training records in relation to company policies and the law relating to the sale of alcohol to drunken persons will be kept on the premises and will be made available to the Police or the Licensing Authority or any responsible authority on request.
27. Adult entertainment as described in the application will not be visible or audible from the outside of the premises.
28. To the extent that it is within the licensee's power, adequate access will be provided for emergency vehicles.
29. An incident log will be kept at the premises and will be made available on request to an authorised officer of the Licensing Authority or to the Police which will record the following:
 - a) crimes reported in relation to the premises

- b) ejections of patrons
- c) complaints received
- d) incidents of disorder
- e) seizures of drugs or offensive weapons
- f) faults in the CCTV system or search equipment or scanning equipment
- g) refusals of the sale of alcohol
- h) inspections of, and visits to, the premises by a relevant authority or emergency service
- i) accidents
- j) lost and found property

- 30. Facilities and equipment suitable for the number of patrons and type of event undertaken will be provided to enable first aid treatment.
- 31. The date on which any staff have obtained first aid qualifications or received refresher training shall be recorded and kept within a logbook
- 32. At least one qualified first-aider will be present on the premises during the whole time the premises are made available for regulated entertainment.
- 33. On nights when the premises trade with a terminal hour for the sale of alcohol of 3am, there will be a last entry time for customers (apart from smokers re-entering the premises after using the dedicated smoking area) of 2am.
- 34. On nights when the premises trade with a terminal hour for the sale of alcohol of 3am, one dedicated person per night will be made responsible for identifying any customer(s) appearing to behave in a drunken manner or to be consuming excessive amounts of alcohol so that the door team can be alerted and a management decision taken whether the customer(s) in question should be refused further alcohol or asked to leave.

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Intentionally left blank

ANNEX 4 - PLANS

Project: BACCHUS BAR, Unit 1, Anchor Road, Bishop's Stortford, Essex
Drawing title: GROUND and MEZZANINE FLOOR PLANS

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