



James Ellis

Head of Legal and Democratic Services

MEETING : LICENSING SUB-COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 17 AUGUST 2021
TIME : 2.00 PM

MEMBERS OF THE SUB-COMMITTEE

Councillors R Bolton, C Redfern and C Wilson

COMMITTEE OFFICER: William Troop

01279 502173

William.Troop@eastherts.gov.uk

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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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 - 27 May, 14 June, 9 July and 16 July 2021 (Pages 7 - 56)
To approve the Minutes of Previous Sub-Committee meetings:

27 May 2021
14 June 2021
9 July 2021
16 July 2021
6. Summary of Procedure (Pages 57 - 64)
A summary of the procedure to be followed during consideration of item 7 is attached.
7. Application for a new Premises Licence for Beer Shop, 26A Northgate End, Bishop's Stortford, Hertfordshire, CM23 2EU (Pages 65 - 102)
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.

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 27 MAY 2021,
AT 10.00 AM

PRESENT: Councillor D Andrews (Chairman)
Councillors A Hall and C Wilson

ALSO PRESENT:

Councillors C Redfern

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Dimple Roopchand	- Litigation and Advisory Lawyer
William Troop	- Democratic Services Officer
Brad Wheeler	- Senior Licensing and Enforcement Officer

ALSO IN ATTENDANCE:

Mr Nick Gerrard - Applicant

1 APPOINTMENT OF CHAIRMAN

It was moved by Councillor Wilson and seconded by Councillor Hall, that Councillor Andrews be appointed Chairman for the Sub-Committee meeting. After being

put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor Andrews be appointed Chairman for the Sub-Committee meeting.

2 APOLOGIES

There were no apologies for absence.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members and Officers back to the Council Chamber following the resumption of in-person meetings. He reminded all present of the COVID secure protocols that were in place.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 MINUTES - 29 MARCH AND 6 APRIL 2021

It was moved by Councillor Hall and seconded by Councillor Wilson that the Minutes of the meetings held on 29 March and 6 April 2021 be confirmed as correct records and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meetings held on 29 March and 6 April 2021 be confirmed as correct records and signed by the Chairman.

6 APPLICATION FOR A NEW PREMISES LICENCE FOR SILVER LEYS POLO CLUB, MILLFIELD LANE, BURY GREEN, LITTLE HADHAM, HERTFORDSHIRE, 21/0172/PL

The Chairman summarised the procedure for the Sub-Committee hearing. All those present were introduced or introduced themselves.

The Senior Licensing and Enforcement Officer presented his report covering an application for a new premises licence under Section 17 of the Licensing Act 2003. The Sub-Committee was advised that on 23 March 2021, a new application was received from the applicant on behalf of Silver Leys Polo Club, Millfield Lane, Bury Green, Little Hadham. The application sought permission for the supply of alcohol (for consumption on the premises), Sunday – Friday, 11:00 – 22:00 and Saturday, 11:00 – 23:00.

Members were advised that the applicant had proposed a number of steps that could be taken to promote the four licensing objectives, including, but not limited to, the maintenance of a logbook which would be made available for inspection, allowing adequate access for emergency vehicles, taking adequate fire safety measures, arranging delivery times so as not to create a nuisance for residents and reducing the volume of recorded music after 20:00.

The Senior Licensing and Enforcement Officer said that the report contained an error and he apologised for that – the applicant had agreed additional steps to promote the licensing objectives with Hertfordshire

Constabulary, rather than Environmental Health. These measures included the use of a Challenge 25 policy.

Members were advised that two representations from interested parties had been received which engaged the prevention of public nuisance, prevention of crime and disorder and public safety licensing objectives. The representations related to noise and concerns over drink driving.

The Senior Licensing and Enforcement Officer said that if the Sub-Committee believed that the licensing objectives would not be undermined then the application should be granted. Members were advised that if they believed that the application would not promote the four licensing objectives, they should take appropriate and proportionate action to address these concerns. The Senior Licensing and Enforcement Officer said that the Sub-Committee could attach conditions, limit the hours or restrict licensable activities. The application should only be refused as a last resort and the Members' decision should be evidence based, justified, appropriate and proportionate.

The Chairman asked whether the reference to polycarbonate containers was a standard, recognised term. The Senior Licensing and Enforcement Officer confirmed that it was.

The applicant spoke to the application, briefly introducing the club itself. He said that the clientele were not just the upwardly mobile and the club was used by those who may not usually have been able to

play polo. The club had operated largely unnoticed over the last 10-12 years and had successfully used Temporary Events Notices (TENs) previously when hosting tournaments.

The applicant said that he was familiar with a resident who had made representations. They had previously had concerns the club were breaching lockdown restrictions, which was found not to be the case, and some years before the clock at the clubhouse had been quietened at the request of this resident. Although the use of a tannoy was not a licensing matter, this would only ever be used 11:00 – 17:00. There had been one incident at the club where some guests had gained access to the club house after hours and played loud music, although this was reported almost immediately and the electricity supply to the building had been turned off within ten minutes. The police had no record of complaints following every event and had not objected to the application. It was unlikely that clientele would drink drive following events, given that they generally arrived in lorries with their horses, which were expensive to acquire and upkeep.

The applicant said that applying for this licence would actually be more restrictive on the club in comparison to the terms of TENs, but this was not of concern due to the small scale of their events. Residents also had the applicant's telephone number, and a number was advertised on the club's website, should residents have a complaint about noise or any other matter.

The Senior Licensing and Enforcement Officer asked

the applicant why he had requested the licence on Sundays until 22:00, given that the club closed at 20:00.

The applicant said that the polo matches were generally concluded by 18:00, so he would be happy to agree to restrict the licence to 20:00 on Sundays.

At the conclusion of the closing submission, the Sub-Committee, the Litigation and Advisory Lawyer and Democratic Services Officer retired to a separate room to allow Members to consider the evidence.

Following this, Members and Officers returned and the Chairman announced that the Sub-Committee had listened to the comments of the Senior Licensing and Enforcement Officer and the applicant and the Sub-Committee had taken into account the concerns of the interested parties. The Sub-Committee decided to grant the application, subject to additional conditions.

Additional Conditions:

- The sale of alcohol on Sundays is permitted 11:00 – 20:00.
- All retail sales of alcohol will cease 30 minutes prior to closing.

In coming to its decision, the Sub-Committee believed that the applicant had provided evidence that the granting of the licence would promote and not undermine the four licensing objectives. The Sub-Committee noted that the applicant had previously used Temporary Events Notices to run events successfully. The Sub-Committee also noted that

contact details for senior staff were available to residents on the premises' website. By agreeing to grant the licence, the Sub-Committee was satisfied that conditions were readily enforceable.

RESOLVED – that the application for a variation of a Premises Licence for Application for a New Premises Licence for Silver Leys Polo Club, Millfield Lane, Bury Green, Little Hadham be granted, subject to additional conditions.

Additional Conditions:

- The sale of alcohol on Sundays is permitted 11:00 – 20:00.
- All retail sales of alcohol will cease 30 minutes prior to closing.

Those present were advised that the decision would be issued in writing and there was the right of appeal within 21 days to the magistrate's court.

7 URGENT BUSINESS

There was no urgent business.

The meeting closed at 10.45 am

Chairman
Date

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON MONDAY 14 JUNE 2021, AT
2.00 PM

PRESENT: Councillor J Jones (Chairman)
Councillors M Goldspink and T Page

OFFICERS IN ATTENDANCE:

Katie Mogan	- Democratic Services Manager
Dimple Roopchand	- Litigation and Advisory Lawyer
William Troop	- Democratic Services Officer
Brad Wheeler	- Senior Licensing and Enforcement Officer

ALSO IN ATTENDANCE:

Deepak Jaiswal	- Applicant
Rebecca Ingram	- Applicant's Legal Representative
Terry Betts	- Interested Party
Fiona Nicholas	- Interested Party

8 APPOINTMENT OF CHAIRMAN

It was moved by Councillor Goldspink and seconded by Councillor Page, that Councillor Jones be appointed

Chairman for the meeting. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor Jones be appointed Chairman for the meeting.

9 APOLOGIES

There were no apologies for absence.

10 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that item 7 on the agenda was no longer to be heard as the application had been satisfactorily resolved.

11 DECLARATIONS OF INTEREST

There were no declarations of interest.

12 APPLICATION FOR A NEW PREMISES LICENCE FOR PROOVE, 2ND FLOOR, 3 PARLIAMENT SQUARE, HERTFORD, HERTFORDSHIRE, SG14 1EX (21/0201/PL)

The Chairman summarised the procedure for the Sub-Committee hearing. All those present were introduced or introduced themselves.

The Senior Licensing and Enforcement Officer presented his report covering an application for a new premises licence under Section 17 of the Licensing Act 2003. The Sub-Committee was advised that on 1 April 2021, Dough Bites Four Ltd submitted an application

for a new premises licence at Proove, 2nd Floor, 3 Parliament Square, Hertford, SG14 1EX. The application - which had been revised since the report was produced, following discussions with the Licensing Authority and Responsible Authorities - sought permission for the supply of alcohol for consumption both on and off the premises and recorded music, Sunday – Wednesday, 12:00 – 00:00 and Thursday - Saturday, 12:00 – 01:00. It also sought permission for the provision of late night refreshments, Sunday – Wednesday, 23:00 – 00:30 and Thursday - Saturday, 12:00 – 01:00.

Members were advised that the applicant had proposed a number of steps that could be taken to promote the four licensing objectives, including, but not limited to the provision of SIA registered door staff, an internal and external CCTV system, with footage retained for 31 days, and a Challenge 25 policy. The applicant had agreed further conditions with Environmental Health and Hertfordshire Constabulary.

Members were advised that representations had been received from the Local Ward Councillor and 12 residents acting as interested parties, which engaged the prevention of public nuisance, the prevention of crime and disorder and public safety licensing objectives. The representations related to noise nuisance for neighbours and anti-social behaviour, as well as a lack of transport for those leaving the premises in the early hours.

The Senior Licensing and Enforcement Officer said that if the Sub-Committee believed that the licensing

objectives would not be undermined then the application should be granted. Members were advised that if they believed that the application would not promote the four licensing objectives, they should take appropriate and proportionate action to address these concerns. The Senior Licensing and Enforcement Officer said that the Sub-Committee could attach conditions, limit the hours or restrict licensable activities. The application should only be refused as a last resort and the Members' decision should be evidence based, justified, appropriate and proportionate.

Councillor Page asked whether the licence was for the whole or part of the second floor.

The applicant's legal representative said that the licensed area would be most of the second floor, although there was a plant room and store room. She also indicated that the applicant's intention was to move the store room by installing a stud wall. This would provide a buffer between the area where customers were and the party wall. This stud wall would also likely be where any acoustic installations would be to prevent sound transference, which would likely circumnavigate any heritage issues regarding the building.

Mr Betts (interested party) suggested that it would have been useful for Members to have conducted a site visit to see the issues regarding party walls. The times of the original application would have been much too disruptive to residents, especially a licence until 02:00. He said that as the buildings involved were

listed, it would have been preferable for the applicant to withdraw the application whilst an acoustic consultant inspected the premises to consult on whether it was feasible to reduce sound transference given the heritage concerns. The times of the application, even with reduced licensed hours, still exceeded the Licensing Authority's policy on hours that would generally be granted.

The Chairman said that the Sub-Committee's business was licensing, and it could not decide the application based on planning concerns, although this aspect would be considered separately by the relevant service.

The applicant's legal representative gave a brief overview of the applicant's prior experience of operating at similar premises across the country and said he had always aimed to be a good neighbour. The ground floor of the building was also being refitted, but this was a separate premises, although the two would interact. The second floor might be used as an overflow for customers to have a drink whilst they awaited a table in the restaurant below, for example. The premises was not to be a night club as had been a concern for some residents. A range of beers, wines and cocktails would be served, as well as small plates of food. Music would likely be louder than what could be considered background music, which was why the application for recorded music was made, but guests would be seated with no space for them to dance.

The applicant's legal representative presented those present with a document which showed all of the

additional conditions the applicant was offering on order to alleviate the concerns highlighted in the representations. They were:

1. A digital closed circuit television (CCTV) system to be installed internally ensuring the following:-
 - a. All entry and exit points must be covered to enable frontal identification of every person entering the premises in any light condition.
 - b. The CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers remain on the premises.
 - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
 - d. A staff member from the premises who is knowledgeable with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public and this staff member must be able to show and supply if requested a Police or authorised officer recent date or footage with the absolute minimum of delay when requested.
 - e. Any faults with the CCTV system must be recorded in writing and must be rectified without delay

2. On a Friday and Saturday night and nights leading into a Bank Holiday, 1 member of SIA

- registered door staff shall be employed at the premises from 21:00 hours and 2 members of SIA registered door staff from 22:30 hours until close.
3. At all other times, SIA registered door staff shall be employed in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
 4. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - i. The number of door staff on duty;
 - ii. The identity of each member of door staff;
 - iii. The times the door staff are on duty.
 5. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
 6. The sale of alcohol for consumption off the premises shall be limited to consumption in any delineated external area at the premises.
 7. The Premises Licence Holder or Designated Premises Supervisor to ensure that all management and staff are fully trained and briefed on the four licensing objectives, Challenge 25, the conditions on this licence, policies referred to in this licence. Also, any other Police initiatives, such as CSE. The training must be given to a new member of staff before they commence employment. Every 6 (six) months all management and staff are to be given refresher training and this is to be documented in such a

way that it can be given to an authorised officer on request. Staff should also sign documentation confirming the training has taken place and the date.

8. A written record of all refused sales shall be kept on the premises. It must include details of the member of staff who refused service, time and date it occurred and the reason for refusal. The record shall be made available to Police and/or local authority immediately upon request and shall be kept for a least one year from the date of last entry.
9. A written drugs policy, approved by a Police Licensing Officer, to be in place and a copy available at the premises. The policy must cover as a minimum, the measures taken to minimise the possibility of drug use or supply within the premises. The Policy must be followed at all times.
10. The Licence Holder shall actively participate in the Pubwatch Scheme, including attending the meetings, participating in radio link, and supporting the Pubwatch banning systems including keeping records and sharing information with the police.
11. No entry or re-entry of customers shall be permitted to the premises after 23:00 Sunday to Wednesday and 00:00 Thursday to Saturday. This Condition does not apply to customers re-entering having visited the smoking area outside, or to customers where there are medical or safeguarding concerns, or where customers are re-entering specifically to wait for onward travel. This is to be managed and enforced by SIA's and

- the Premises Manager.
12. A first aid box will be available at the premises at all times.
 13. Regular safety checks shall be carried out by staff.
 14. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
 15. The capacity of the premises in line with the fire risk assessment is to be 60 persons.
 16. The premises shall maintain an incident log and public liability insurance. The incident log shall be maintained to record any activity related to drugs or of a violent, criminal or serious anti-social nature and be available for inspection at all times (when the premises is open) by an authorised officer of relevant responsible authority, it should record the following details:-
 - a) Time and date and nature of the incident,
 - b) People involved
 - c) Action taken
 - d) Details of the person responsible for the management of the premises at the time of the incident.
 17. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
 18. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 19. The party wall between the premises and the adjacent residential flats shall be acoustically attenuated as necessary to ensure that noise

- cannot escape from the premises such as to cause a nuisance to residential occupants.
20. The exterior of the building shall be cleared of litter at regular intervals.
 21. The Licence Holder shall erect and maintain in a prominent position at every exit and within the smoking area a clear and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents.
 22. Doors and windows at the premises are to remain closed after 23:00, save for access and egress.
 23. A written dispersal policy, approved by a Police Licensing Officer, will be in place and a copy available at the premises. As a minimum, the policy must cover actions to be taken to reduce the impact on the local community when customers are leaving the premises. The policy must be operated and adhered to by the staff at the premises.
 24. In addition to the dispersal policy, the Premise Licence Holder will ensure that a soft closure procedure is followed at the end of the evening, 30 minutes before the premises are due to close. This must include lowering any music, informing people of the approaching closing time, encouraging sensible drinking and ensuring people have time to finish the drinks they have prior to closure.
 25. The emptying of bins into skips and refuse collections will not take place between 23:00 and 07:00.
 26. Until 23:00 hours, the designated smoking area will be within the outdoor seating area on

Parliament Square for the use of customers of the premises. From 23:00 hours until close, the designated smoking area will be to the left of the entrance of the premises (when looking at the premises from outside), and will be delineated by barriers.

From 23:00 hours until close:

- i. No open vessels to be permitted in the smoking area.
 - ii. There are to be no more than 5 (five) people using the designated smoking area at any one time. At all times the smoking area(s) will either have a member of staff or door staff present, or will be monitored by staff or door staff at least every 30 minutes.
27. The age verification policy operated at the premises shall be "Challenge 25". This means that whilst alcohol may be sold to persons aged 18 years or over, any person who appears under 25 years of age shall be required to provide proof of age using an acceptable form of ID. Notices advertising that the premises operate a "Challenge 25" scheme shall be displayed in a clear and prominent position at the premises entrance(s)/and inside at the premises bar serving area. The only forms of ID that may be accepted shall be:
- a. Proof of age card bearing the PASS hologram logo
 - b. Passport; or

- c. UK photo driving licence
 - d. Military identification
28. Children, under 18 years of age, will only be permitted into the premises with an adult. No children aged under 18 years to be on the premises after 21:00 hours until closing, if alcohol is being served.

The applicant's legal representative said that the representations by Responsible Authorities had been withdrawn, meaning they had no objection, and that the Sub-Committee should give this appropriate weight when deciding the application. Licensed hours applied for had been reduced, meaning that the premises would not be the last open in the immediate area and there would be taxis on hand to take customers home after closing. Outdoor seating on the ground floor could be used by customers from the second floor, but only until 23:00. This provision was the sole reason that the off premises license had been applied for. She also said that the applicant was within his rights to apply for a licence before engaging acoustic experts, as it would not be logical to pay for this work without first knowing if a licence would be granted. Issues regarding heritage had been successfully managed on the lower floor of the building and the applicant was confident this could be done on the second floor.

Members were also advised that whilst there were residents in this area who should be respected, there were many other licensed premises in the area and it should be regarded as 'mixed use' in which a balance

should be struck. For example, all doors and windows would be closed after 23:00. The soft closure measures meant there would be a gradual dispersal of the maximum of 60 customers. After 23:00, the smoking area would be for a maximum of five customers to the left of the entrance to the premises and would be monitored by door staff.

The Chairman asked if the capacity of 60 might be reduced if the store room was moved. He also asked how the capacity was monitored if the premises was connected with the restaurant below.

The applicant said that after 22:30, the upper floor would be inaccessible to customers via the restaurant. Capacity was generally gauged by the amount of free tables available, and would be reduced if necessary due to fire regulations following the interior changes.

Councillor Goldspink asked about condition 6 offered by the applicant and how the delineated external area at the premises would be managed.

The applicant said that after 23:00 the premises' pavement licence was no longer applicable, so no customers would be allowed to leave with alcohol after this time.

Councillor Page asked if there was anything in place to prevent customers leaving the second floor and buying alcohol for consumption off the premises from the ground floor. He also asked about noise from the plant room.

The applicant said that whilst the ground floor did have a license for alcohol sales for consumption off the premises, in practise this was very unlikely as there was a shop close by which was licensed until later and would be considerably cheaper. The plant room had a boiler and extractor which serviced the ground floor, however noise was not an issue. Lots of work to a high standard had been done regarding heritage on the ground floor and the applicant was confident the same could be done on the second floor.

The interested party said that he understood that the passageway on which the applicant planned to have a smoking area may be reopened as access to a hotel.

The applicant's legal representative said that the applicant understood from Hertfordshire Highways that this was unlikely, but in this case he would be comfortable to follow any guidance which the Sub-Committee felt appropriate.

At the conclusion of the closing submission, the Sub-Committee, the Litigation and Advisory Lawyer and Democratic Services Officer retired to a separate room to allow Members to consider the evidence.

Following this, Members and Officers returned and the Chairman announced that the Sub-Committee had listened to the comments of the Senior Licensing and Enforcement Officer and the applicant and the Sub-Committee had taken into account the concerns of the interested parties. The Sub-Committee decided to grant the application, subject to additional conditions.

Additional Conditions:

- All of the conditions offered by the applicant, including reduced licensed hours, are agreed, subject to the following amendment:
 - Condition 6, as offered by the applicant, has been amended to include the wording 'up to 23:00'.
- Subject to Condition 19, as offered by the applicant, the applicant is required to engage the services of an expert licensed member of the Institute of Acoustics. Any recommendations suggested by the expert must be completed to the satisfaction of the Licensing Authority and Environmental Health prior to the commencement of the licence.

In coming to its decision, the Sub-Committee considered that the area in which the premises sits is an established base for the night-time economy in Hertford, and the Sub-Committee wished to strike a healthy balance between residents' interests and supporting the night-time economy. Members were satisfied that the offered conditions and additional conditions granted are appropriate to promote the licensing objectives and will address many of the representations received.

RESOLVED – that the application for a variation of a Premises Licence for Application for a New Premises Licence for Proove, 2nd Floor, 3 Parliament Square, Hertford, Hertfordshire, SG14 1EX, be granted, subject to additional

conditions.

Additional Conditions:

- All of the conditions offered by the applicant, including reduced licensed hours, are agreed, subject to the following amendments:
 - Condition 6, as offered by the applicant, has been amended to include the wording 'up to 23:00'.
- Subject to Condition 19, the applicant is required to engage the services of an expert member of the Institute of Acoustics. Any recommendations suggested by the expert must be completed to the satisfaction of the Licensing Authority and Environmental Health prior to the commencement of the licence.

Those present were advised that the decision would be issued in writing and there was the right of appeal within 21 days to the magistrate's court.

13 URGENT BUSINESS

There was no urgent business.

The meeting closed at 4.07 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 9 JULY 2021, AT
10.00 AM

PRESENT: Councillor D Andrews (Chairman)
Councillors A Hall and D Snowdon

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Dimple Roopchand	- Litigation and Advisory Lawyer
William Troop	- Democratic Services Officer
Brad Wheeler	- Senior Licensing and Enforcement Officer

ALSO IN ATTENDANCE:

Councillor Steven Brown	- Chairman of Aston Parish Council
Mr Childs	- Local Resident
Andrew Johnston	- Neighbour
Brittany Melley	- Event Manager
Saab Minichiello	- Hertfordshire Constabulary
Mr Andy Newman	- Licensing Consultant
Jon Payne	- Licensing Lawyers

Mr James Rankin	- Barrister
Police Sergeant	- Hertfordshire
Claire Ramirez	Constabulary
Margaret Stanley	- Neighbour
Mr Tom Wilkes	- Premises Licence
	Holder

14 APPOINTMENT OF CHAIRMAN

It was moved by Councillor Hall and seconded by Councillor Snowden, that Councillor Andrews be appointed Chairman for the meeting. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor Andrews be appointed Chairman for the meeting.

15 APOLOGIES

There were no apologies.

16 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's Announcements.

17 DECLARATIONS OF INTEREST

There were no declarations of interest.

18 APPLICATION FOR REVIEW OF THE PREMISES LICENCE FOR WILKESTOCK, WATERBRIDGE, FROGMORE HILL, WATTON AT STONE, HERTFORD, HERTFORDSHIRE SG14 3RR (21/0239/PLV)

The Chairman summarised the procedure that would be followed during the meeting and all those present were introduced or introduced themselves. The Senior Licensing and Enforcement Officer presented his report covering an application for a review of a premises licence under Section 51 of the Licensing Act 2003. The Sub-Committee was advised that on 16 April 2021, an application for a review of a premises licence was made by Sergeant Clare Ramirez of the Community Safety Unit of Hertfordshire Constabulary.

The Sub-Committee was advised that the review was for the premises licence in respect of Wilkestock, Waterbridge, Frogmore Hill, Watton At Stone, Hertford. The application covered a number of issues including errors and inconsistencies in the event management plans provided by the premises licence holder (PLH) from 2017 to 2021 and the PLH's failure to uphold the Licensing Objectives.

The Senior Licensing and Enforcement Officer informed the Sub-Committee that the police had alleged that there were issues that had been brought to the attention of the PLH (Mr Wilkes) which had not been addressed. The police had also indicated that they were in attendance at an event in July 2018 and they had highlighted a number of concerns which were listed at paragraph 3.7 of the report.

Members were advised that the police had also indicated a number of breaches of the premises licence and the police had applied for this review in relation to the following licensing objectives:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance

The Senior Licensing and Enforcement Officer said that a further 11 representations in support of the review were received during the 28 day consultation period. One of these representations had been from the local Councillor reporting complaints from neighbouring residents. The Senior Licensing and Enforcement Officer summarised these representations which could be found at Appendix C.

The Sub-Committee was advised that a further 95 comments had been received in support of the PLH which related to licensing objectives. These comments stated that events were run safely and also that the concerns raised by the police had not been witnessed.

The Senior Licensing and Enforcement Officers referred to and summarised a number of other representations that had been made. The Sub-Committee was advised that the PLH had also submitted evidence to dispute the concerns that had been raised.

The Senior Licensing and Enforcement Officer said that the report covered the East Herts Statement of Licensing Policy and the revised guidance under Section 182 of the Licensing Act 2003. The Sub-Committee should determine the application with a view to promoting the four licensing objectives. Members should consider if Hertfordshire

Constabulary had provided evidence that the premises undermined the licensing objectives and this should be balanced against the evidence given by the PLH that the licensing objectives would not be undermined.

He said that if Members believed that the evidence showed that the licensing objectives had been undermined then the Sub-Committee should take the minimum steps needed to mitigate the issues. The Sub-Committee could make appropriate changes to the premises licence to promote the four licensing objectives. The Sub-Committee could suspend the licence for up to three months, revoke the licence, remove the designated premises supervisor or make no changes.

The Senior Licensing and Enforcement Officer said that the Members' decision should be evidence based, justified, appropriate for the promotion of the four licensing objectives and proportionate to what the Sub-Committee intended to achieve.

Police Sergeant Clare Ramirez, on behalf of the applicant and the responsible authority, presented a detailed history of the licensing applications made in respect of this site. She referred to a number of police records dating back to August 2009 for Wilkestock. She said that this event had initially commenced under a Temporary Event Notice (TENs) for under 500 people.

Sergeant Ramirez provided a comprehensive history of the licence held by the PLH. She summarised how this licence had been used on the site at Waterbridge, Frogmore Hill, Watton at Stone. She also detailed the

type of events that had been held on the site and the numbers of people that had attended.

The Sub-Committee was advised that larger events carried larger risks and Sergeant Ramirez emphasised the importance of planning thoroughly to reduce the level of risk. She said the police were available to offer advice but it was not the role of the police to plan events and organise them for the applicant.

Sergeant Ramirez referred to inconsistencies with the event management plans and the licensing breaches. She said that the issues that had been raised by the police were not always addressed and the PLH had to be consistently pushed to do that.

The Sub-Committee was advised that the police had a lack of confidence in the PLH. Members were also advised of the inability of the organisers to identify and address risks without relying on the police and there had been a failure to take on board concerns as the site was being used for larger events.

Sergeant Ramirez referred to a document that listed a number of conditions that had been breached and she said that a lot of work had gone into working with the PLH in ensuring that all of the necessary areas were covered by the detailed conditions.

The Sub-Committee was advised that the police expected to have sight of the event management plan (EMP) 3 months before the larger events. Sergeant Ramirez referred to this as a breach of conditions as the EMP was consistently lacking in 2017 in terms of

the information needed by the police to ensure the safe running of events. She referred to numerous emails chasing for missing information and she summarised the work that had gone into getting conditions agreed between the police and the PLH before they were added to the premises licence.

Sergeant Ramirez detailed further examples of conditions being breached and information not being supplied. She referred to significant omissions from event management plans and said that the police had been chasing the PLH for missing information year on year regarding various events on this site. She gave her interpretation of the security deployment plan and she referred to a number of inconsistencies in this documentation.

Sergeant Ramirez highlighted areas of the site that needed to be marshalled but were not covered by the 17 security industry authority (SIA) staff shown on the plans. She said that she did not have the confidence that what was in the documentation would be implemented on the site. Members were shown police body camera footage from a 2018 event held at Waterbridge, Frogmore Hill.

There was a brief adjournment at this point in the proceedings. The meeting reconvened and Sergeant Ramirez commented on the lack of a fire risk assessment. She said that the PLH intended to have this completed internally and Hertfordshire Fire and Rescue were not happy with this position. The Sub-Committee was advised that the fire risk assessment was received by the fire service on 9 June 2021 and

was deemed to be unsuitable on 18 June for an event on 2 July.

Sergeant Ramirez said that it was difficult to assess arrangements being put in place around the provision of a fairground, such as the deployment of SIA staff, as the Police had not been able to establish whether a fairground was being provided at the site.

The Sub-Committee was advised that the PLH had been told by Hertfordshire County Council Highways that Frogmore Hill and Walkern Road were not suitable for use as a pedestrian route for any number of attendees, especially in the hours of darkness. Sergeant Ramirez said that there had been no change to the traffic management plan (TMP) between 2017 and 2019. She said that although the PLH had been advised in 2018 that signage could not be erected without the permission of Hertfordshire Highways, signage had been erected on the highway in 2019.

Sergeant Ramirez spoke at length about the pedestrian issues which had gone on for a significant period of time. She said no plan was in place until the PLH had been pushed and even now, there was no solution for the pedestrians. The Sub-Committee was advised that the pedestrian route away from the site was not suitable for a mass exodus and the PLH needed to produce a plan that was sufficient to get the majority of people away from the site by taxi, shuttle bus or people picking them up privately.

Sergeant Ramirez said that there was no evidence that two medical areas would be provided to ensure that

those presenting with COVID symptoms could be segregated. She referred to a lack of confidence that issues that had been identified by police would be addressed. Members were advised that the PLH had liaised with residents but there had been no engagement with residents who had concerns.

Sergeant Ramirez spoke about police concerns about the exit plans for vehicles and pedestrians on the site. She said that the car park and the pedestrian pick up location was a key area of concern. She continued her submission by highlighting the importance of adequate EMPs being submitted with minimal input from the police.

The Sub-Committee was advised of that there was a lack of detailed plans and risk assessments and a lack of a thorough approach for the event planning for this site. The Police believed that this could not continue now that the events had become significantly bigger. Members were advised that the concerns of residents were not being listened to and measures were not being put in place to mitigate concerns.

Sergeant Ramirez said that it was not the role of the police to review and give advice on the content of EMPs. The police expected adequate EMPs to be produced with the assistance of experts in certain fields. She said that this was something that the PLH had not been able to do despite having ran events for a number of years.

The Sub-Committee was advised that the PLH had not taken the responsibility of ensuring a thorough

approach in identifying risks and managing those risks. Members were advised that the PLH seemed happy to cut corners unless pushed by the police and the police did not feel that this could continue.

There was a brief adjournment at this point in the proceedings. The meeting reconvened and Councillor Snowdon asked Sergeant Ramirez whether the police had considered any other remedies besides the Sub-Committee revoking the licence. He asked Sergeant Ramirez whether she considered revocation to be proportionate. She said that the police had been working with the PLH for a number of years and the PLH had been given a huge amount of time to resolve these issues.

The Sub-Committee were advised that the PLH had not been meeting the conditions on the licence and the police did not believe that adding further conditions would assist. Sergeant Ramirez said that the police had tried to work with the PLH and did not always receive responses. She believed that the PLH was unable to run events safely and revocation was the only way forward.

Councillor Hall asked about the shuttle bus and the time it would take to clear the venue. He asked if there had been any clarity as to the occupancy rate of the shuttle buses. He said that he was mindful of the width of the lanes that led to the site.

Sergeant Ramirez said that she had been assured that the width of the lanes had been considered and the buses could negotiate the lanes to the site. She said

that she had been told that each bus was a 50 seater coach and she had made an assumption that the organiser had spoken to the drivers and the route had been checked as being suitable.

Councillor Andrews asked about the use of the access road for previous events and said that Sergeant Ramirez had alluded to the signage that had been put out. He said that he could find no trace of the Temporary Traffic Regulation Order (TTRO) for any of the previous events.

Sergeant Ramirez said that there had been TTROs in place for the 2019 events. She said however that in spite of the meeting that had taken place at the end 2018, there had not been a TTRO in place for the 2019 Hog Sozzle event. She said that events prior to 2019 had been done unofficially without TTROs.

Mr Rankin, representing the PLH, asked Sergeant Ramirez if she was saying these events were badly run. Sergeant Ramirez said that the events had been badly organised and that it was through luck that issues had not occurred at the festivals.

Mr Rankin asked Sergeant Ramirez whether her complaint was to do with the PLH missing deadlines for the submission of information to the police. Sergeant Ramirez said that was not just the missed deadlines which were set in order to assist the PLH. She said that the deadlines were set months in advance so that the PLH was aware of what was required and when.

Mr Rankin spoke at length about the TTROs and the various colour coded routes that were in place to access the festival site. Sergeant Ramirez responded with her understanding of the colour coded routes that had been agreed as part of the traffic management plan. She disputed a point made by Mr Rankin that a road traffic accident on the day of the Back and Beyond event in 2018 had impacted on the ability of taxis to reach the festival site late in the evening.

Mr Rankin said that the PLH accepted entirely that the car parking arrangements needed adjustment and this had been done. He also accepted that the security company previously employed had not been up to standard and had subsequently been replaced. Sergeant Ramirez said that the reason there had been the problems at the 2018 event portrayed in the video footage was due to lack of planning and foresight by the PLH.

Mr Childs, a local resident, addressed the Sub-Committee in respect of the impact on his property of events at the Waterbridge site. He said that he was directly impacted in terms of vehicle and pedestrian traffic and also the litter that had been thrown into his garden which had included drug paraphernalia. He said that he had seen events increase in size from a small charitable event to full scale commercial events which were not suitable for the site.

Mr Childs said that he 'blushed' at the thought of coaches of any size accessing the site to collect people from the site. He said that the roads were not pleasant to walk in the dark and he referred to the significant

impact of the event on residents. He concluded that the Waterbridge site was not suitable for larger scale commercial events even if they were properly managed.

Mr Childs responded to a number of questions from Sergeant Ramirez and Mr Rankin and also from Councillor Andrews.

Mr Rankin made the case of the PLH and responded to the principle issue raised by Sergeant Ramirez that the PLH missed deadlines for submitted EMPs and other documents. He accepted that at times key deadlines had been missed and he pointed out that there were occasions where deadlines had been met. He referred to the 'high water mark' of the police case being the video of the 2018 event.

He rejected the suggestion that the PLH was incompetent and incapable of running these festivals. He asked the Sub-Committee to look at the conditions on the licence and spoke to the conditions that the police said had been breached.

Mr Rankin referred to dates and times of various submissions that had been made by the police. He said that the SAG meetings had been invaluable and he detailed what had happened at the meeting that had been held on 25 May 2021.

There was an adjournment at 12:50 pm at this point in the proceedings and the meeting reconvened at 1:32 pm. Mr Rankin said that the PLH had addressed every matter that had been listed in the new documentation

submitted by the police. He pointed out that 2 ambulances would be on site and fire risk assessment had been completed by a former chief fire officer.

Mr Rankin gave the Sub-Committee a history of the festival and the reasons it had been started by the PLH, which was to raise money for a number of charities. He said that no festival site was perfect and he commented on the level of support for the festivals at Waterbridge, Frogmore Hill.

Mr Rankin commented on the practical difficulties of providing the names and addresses of all security staff 28 days before an event and also knowing for sure which bands would be playing at a festival. He asked the Sub-Committee whether they could consider amending those conditions. He said that he did not accept that the numbers that were permitted on the site were exceeded at any time.

Mr Rankin emphasised that the 2018 event was not a typical example of how the festival was run. He said that the knock on effect of an accident on the A602 was felt throughout the day. He stated that taxi drivers were not willing to go beyond the Three Horseshoes Pub to drop off and collect those attending the festival. He said that the security company that had been engaged in 2018 had not been able to deliver on promises that they had made and there was no TTRO in place.

Mrs Margaret Stanley, a local resident, addressed the Sub-Committee in response to a number of questions put to her by Mr Rankin. Mr Rankin read out a number

of letters in support of the festivals from the additional evidence bundle he had supplied on behalf of the PLH and from the comments, that he felt where representations. He also read out a series of emails between the PLH and Environmental Health Officers regarding noise management plans and collaborative working practices.

Mr Rankin summarised the evidence of Mr Andrew Newman, a former licensing officer. He drew the Sub-Committee's attention to a statement from Mr Brian Cleary, who had over 35 years' experience of the events and festival sector. Members were also advised that it was Mr Cleary who had instructed the former Chief Fire Officer to conduct the fire risk assessment.

The PLH and Brittany Melley, Event Manager, spoke at length about TTROs and the access and egress arrangements for exiting the site to the bus pick up area and the car park. Britany Melley explained that the medical team would be installing a separate gazebo next to the medical tent for anyone who had symptoms of COVID-19.

The PLH said that he had worked productively with the police. The PLH said that litter picks and were carried out after the events and grass cutting did take place before events. He said that security staff and a sound monitor will be deployed at the property owned by Mr Childs. He also said that the use of single use plastic vessels was being discouraged in 2021.

Mr Steve Brown, Chairman of Aston Parish Council, addressed the Sub-Committee. He talked about the

positive nature of the festival events and the wholehearted support from the village for the events.

Mr Johnston also addressed the Sub-Committee about a number of points in his representation. He talked about the peaceful and relaxed nature of the events. He said that the PLH worked very hard before, after and during the events and did a very good job in respect of clearing up.

There was an adjournment at 3 pm at this point in the proceedings and the meeting reconvened at 3:15 pm. The PLH confirmed to Sergeant Ramirez that he had accompanied Environmental Health Officers all around the festival site with noise monitoring equipment. He said that he was always very cautious with the sound at the festival events.

Sergeant Ramirez put a number of questions to the witnesses that had been called on by Mr Rankin to address the Sub-Committee about the festival events. They responded to her questions.

Councillor Snowdon asked the PLH about his understanding of the purpose of licensing conditions in general. The PLH said that the purpose of the conditions was for them to be followed and adhered to. He accepted that he had not always done that at these events.

Councillor Snowdon said that he did not view the number of conditions on the licence as being unusual. He asked the PLH if he was aware that breaches of conditions could be used by the responsible

authorities to apply for reviews. The PLH confirmed that he was aware and said that he sought to uphold the four licensing objectives before and during the events.

Councillor Snowdon asked the PLH if he understood why the condition was on the licence notification of the artists at an event. The PLH explained his understanding of the reasons for this condition.

Councillor Snowdon said that responsible authorities were not there to help the PLH to plan events. He said that the role of responsible authorities was to check that the organiser of an event of this magnitude was meeting various legal requirements.

The PLH explained in full his interactions with Environmental Health Officers in respect of his noise plans. All of the parties present for the hearing made a final submission in support of the points that they had made during the review hearing.

At the conclusion of the closing submissions, the Chairman adjourned the Sub-Committee hearing and said that the Members would reconvene as soon as was practically possible to make a determination on the review application.

RESOLVED – that the Sub-Committee hearing to determine the application for a review of the premises licence at Wilkestock, Waterbridge, Frogmore Hill, Watton at Stone, Hertford, Hertfordshire, SG14 3RR (21/0239/PLV), be adjourned.

The meeting closed at 3.49 pm

Chairman
Date

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 16 JULY 2021, AT
11.00 AM

PRESENT: Councillor D Andrews (Chairman)
Councillors A Hall and D Snowdon

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Dimple Roopchand	- Litigation and Advisory Lawyer
Brad Wheeler	- Senior Licensing and Enforcement Officer

ALSO IN ATTENDANCE:

Councillor Steven Brown	- Chairman of Aston Parish Council
Mr Childs	- Local Resident
Andrew Johnston	- Neighbour
Brittany Melley	- Event Manager
Saab Minichiello	- Hertfordshire Constabulary
Mr Andy Newman	- Licensing Consultant
Jon Payne	- Licensing Lawyers
Police Sergeant Claire Ramirez	- Hertfordshire Constabulary

Margaret Stanley - Neighbour
Mr Tom Wilkes - Premises Licence
Holder

19 APPLICATION FOR REVIEW OF THE PREMISES LICENCE FOR
WILKESTOCK, WATERBRIDGE, FROGMORE HILL, WATTON
AT STONE, HERTFORD, HERTFORDSHIRE SG14 3RR
(21/0239/PLV)

The Chairman reconvened the hearing that had been adjourned on 9 July 2021. Councillor Snowdon put a question to the premises licence holder and his legal representative regarding their request to consider amending the conditions on the licence and queried whether they had a list of suggested conditions that the Sub-Committee could consider when determining the review application.

The legal representative for the premises licence holder said they did not have a specific list of conditions to give to the Sub-Committee Members but requested a short adjournment to prepare some conditions for Members to consider.

Councillor Andrews asked about the Fire risk assessment and work due to be completed with Hertfordshire Fire and Rescue. The premises licence holder said that Hertfordshire Fire and Rescue were happy with the steps currently being taken. The Sub-Committee was advised that the fire risk assessment was a work in process and advice was being taken from an ex-fire safety Officer.

Councillor Hall highlighted the matter of public safety in reference to a Care Quality Commission (CQC)

report on Pro Medicus, the company that would be providing medical cover for the events due to be held at Waterbridge. He asked the Premises Licence Holder about the due diligence that had been carried out before this company had been chosen.

The events manager for the premises said that Pro Medicus had been recommended by a security company previously used and checks had been undertaken to ensure Pro Medicus was licenced by the CQC.

Councillor Hall expressed concerns that Pro Medicus did not have current and adequate auditing in place. He referred to whether there were sufficient levels of safeguarding training regarding ensuring public safety for events and this information was freely available on their website.

The applicant's legal representative said that all safety matters would be analysed via the Safety Advisory Group (SAG) and the matter of the medical cover would be attended to. The Chairman adjourned the hearing until 11:25 am to allow the premises licence holder and his legal representative to time come back to the hearing with some suggest amendments to the annex 2 conditions for the Sub-Committee to consider when reaching a decision.

At the conclusion of this adjournment, the Sub-Committee, the Council's solicitor and the Democratic Services Officer withdrew to a separate meeting room to allow Members to consider the evidence.

Following this, Members and Officers returned and the Chairman announced that the Licensing Sub-Committee had considered the report and all of the written and oral representations submitted by the police as the applicant, the premises licence holder and the interested parties.

The Chairman said that Members had given careful consideration to all of the options that were available to the Licensing Sub-Committee and Members had determined to revoke the licence. He said that in reaching this decision, Members have had regard to the Section 182 Guidance issued under The Licensing Act 2003 and the Council's Statement of Licensing Policy.

The Chairman reminded the premises licence holder that a formal written determination would be sent to him in 5 working days and he had a 21 day right of appeal to the magistrates' court once the formal determination had been issued.

RESOLVED – that the premises licence for Wilkestock, Waterbridge, Frogmore Hill, Watton at Stone, Hertford, Hertfordshire, SG14 3RR (21/0239/PLV), be revoked.

20 URGENT BUSINESS

There was no urgent business.

The meeting closed at 1.05 pm

Chairman

Date

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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 themselves and the Sub-Committee members, ask the Officers present to introduce themselves before inviting the parties to the hearing to identify themselves. The Chairman will then explain to the parties the procedure that the Sub-Committee intends to follow.
- 8.3 The Chairman will ask a representative of the Licensing Authority to introduce the report, and outline the matter before the Sub-Committee.
- 8.5 The Parties to a hearing for an application shall usually be invited to address the Sub-Committee in the following order:
 - (a) Applicant
 - (b) Responsible Authority
 - (c) Other parties

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 Chairman of 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 submitted at least 24 hours before the hearing commences 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. If large documents are submitted on the day then the hearing may be adjourned at the Chairman's discretion so that such documents can be fully considered.

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
- (b) the promotion of the licensing objectives.

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) Other party
- (c) Applicant.

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 (as applicable); 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 written notice of determination shall be issued by Head of Housing and Health under delegated authority and will information regarding the appeals process.

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 to properly 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.

10.4 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 is to make a record of the proceedings, summarise and record decisions and to provide help and assistance to parties attending hearings.

12.0 Role of Licensing

- 12.1 The Licensing Officer will present the pertinent facts of the application and the representations made by parties to the hearing.
- 12.2 The Licensing Officer shall provide the Sub-Committee with any advice it requires to properly perform its functions.
- 12.3 The Licensing Officer may ask questions of witnesses and the parties in order to clarify the evidence and any issues in the case.

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 and any properly made written submissions will be considered as part of the decision making process.
- 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 all parties to a hearing have a right of appeal against a decision to the Magistrates' Court within 21 days (beginning with the day on which the applicant was notified of the decision by the Licensing Authority).

Definitions

Term	Meaning
Applicant	<p>The holder of, or the person seeking the grant of, a licence, notice or other permission under the relevant Legislation.</p> <p>The premises user in relation to a temporary event notice (TEN) or temporary use notice (TUN).</p>
Interest	A Disclosable Pecuniary Interest as defined in the Council's Members' Code of Conduct.
Other parties	Any persons making relevant representations or any person who is representing such persons.
Licensing Authority	East Hertfordshire District Council
Parties to the Hearing	The applicant and any parties that have made relevant representations or submitted a valid objection notice.
Relevant Representations	Representations (either in support of or against an application) that relate to one or more of the licensing objectives. Can be made by a Responsible Authority or other party.
Responsible Authority	The bodies that must be consulted regarding certain applications and that are entitled to make representations to the Licensing Authority.

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East Herts Council Report

Licensing Sub-Committee

Date of Meeting: 17 August 2021

Report by: Jonathan Geall, Head of Housing and Health

Report Title: Application for a New Premises Licence For Beer Shop, 26A Northgate End, Bishop's Stortford, Hertfordshire, CM23 2EU
21/0490/PL

Ward(s) affected: – Bishop's Stortford – Meads

Summary

- An application for a new premises licence has been made and representations against the application have been received from Interested Parties. When representations have been received against an application and have not been withdrawn, it is for a Licensing Sub-Committee to decide that application. This report is to inform that decision.

RECOMMENDATION FOR LICENSING SUB-COMMITTEE:

(a) The application for a new premises licence be determined.

1.0 Proposal(s)

1.1 Members of the Licensing Sub-Committee should determine the application for a new premises licence through consideration of the information contained in this report and appendices combined with submissions made at the Licensing Sub-Committee hearing.

2.0 Background

- 2.1 Under the Licensing Act 2003 and the council's policy 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.
- 2.2 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.
- 2.3 The licensing objectives are:
- prevention of crime and disorder
 - public safety
 - prevention of public nuisance; and
 - protection of children from harm.

3.0 Reason(s)

- 3.1 The application for a new premises licence was submitted and completed by Beer Shop Ltd on 26th June 2021. The application has been advertised and consulted upon as required by legislation and regulations

3.2 The application requests the following licensable activities:

Licensable Activity	Day	Hours applied for
Supply of Alcohol (for consumption both on and off the premises)	Monday - Sunday	10:00 – 22:00
	New Year’s Eve	10:00 – 01:00
Opening Times	Monday - Sunday	08:30 – 22:00
	New Year’s Eve	08:30 – 01:00

3.3 A redacted copy of the application form and supporting documents are attached as **Appendix ‘A’**.

3.4 Section 18 of the application form asks the applicant to describe any steps they intend to take to promote the four licensing objectives as a result of the application. The steps stated are:

1. *Excessive quick drinking e.g. "shots" will not be permitted and staff must encourage beverages to be enjoyed slowly. Small measures of 1/3 pint sizes shall be used to provide tastings.*
2. *A schedule of training for staff and an age 25 identification policy will be implemented.*
3. *Noise levels to be kept to a minimum and customers asked to leave quietly.*
4. *Children to be accompanied by an adult at all times.*
5. *A CCTV system will be installed.*

6. *An Incident log book maintained on site electronically.*
7. *We will not allow excessive noise or disruptive behaviour.*
8. *Music will only be permitted at ambient background volume.*
9. *We will operate a strict age verification policy. We will log all age refusals on site electronically.*
10. *Persons under the age of 18 must be accompanied by an adult.*
11. *We will report any suspected occurrence of harm to children to the police.*

3.5 During the 28 day statutory public consultation period the applicant in consultation with Environmental Health modified their application to include the following conditions as part of their operating schedule:

1. *The movement of bins and rubbish outside the premises will be kept to a minimum after 21:00hrs. Bottle dumping to external areas shall not be permitted between the hours of 21:00-08:00. Staff must be instructed to minimise noise associated with the use of bins. Refuse collections will not be permitted outside the hours of 08:00-21:00.*
2. *Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to avoid causing disturbances to nearby residents. Deliveries shall not be permitted outside the hours of 08:00-21:00.*
3. *The provision of background music shall be permitted at any time the premises is open to the public, by definition this music or other audio played has a function to create an atmosphere, rather than to be listened to and is incidental to speech, conversation and the other main activities performed at the premises.*

4. *Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to use the area quietly.*
- 3.6 During the 28 day statutory public consultation period objections were received from two residents acting as an interested party against the application. These representations are attached as **Appendix 'B'**.
- 3.7 The main concerns from the residents are the potential of nuisance and antisocial behaviour that may be caused by customers of the premises, therefore engaging the prevention of public nuisance and prevention of crime and disorder licensing objectives.
- 3.8 A plan of the area in which the premises is located is attached as **Appendix 'C'**. This can be used to illustrate the location of the premises in relation to residents and other businesses.

Policy and Guidance

- 3.8 Section 6 of the East Herts Statement of Licensing Policy (herein 'the 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 under which the application best fits would be defined as 'public houses, wine bars café-bar or other drinking establishments'.
- 3.9 The proposed premises is not in an area classed as Town Centre under Section 7 of the Policy.
- 3.10 The table at 6.9 of the Policy details this authority's approach to hours for licensed 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 a 'public houses, wine bars and other drinking establishments':

Will generally be granted alcohol sales for consumption on the premises no later than 23:00 hours and no later than 22:30 on Sunday.

3.14 Section 8.6 of the Policy contains information on how the Licensing Authority considers applications under the prevention of crime and disorder licensing objective. Paragraph 8.8 states *"The Authority will expect applicants to take appropriate and proportionate measures to promote the crime and disorder objective. Examples of the sources of crime and disorder which the Authority would require applicants to take into consideration may include, but are not limited to:*

- *Underage drinking*
- *Drunkenness on the premises*
- *Public drunkenness*
- *Drugs*
- *Violent behaviour*
- *Overcrowding/occupancy capacity*
- *Anti-social behaviour"*

3.15 When determining licence applications and reviews the Licensing Authority will give consideration to:

- *whether the premises make or will make a significant contribution to levels of crime and disorder in the local area, and*
- *whether the operating schedule demonstrates that an adequate risk assessment of the likelihood of crime and disorder occurring as the result of the issue of an authorisation has been carried out by the applicant.*
- *the ability and competency of the person in charge of the premises to monitor the premises at all times it is open;*

- *the training given to staff in how to defuse or manage conflict amongst patrons and crime prevention measures appropriate to those premises;*
- *the physical security features installed in the premises. This may include matters such as the position of cash registers, and the security of cash boxes in gaming machines on the premises; where alcohol is stored in 'off-licences'; the standard of CCTV that is installed; adequate lighting; metal detection and search facilities; the use of toughened drinking glasses in pubs and clubs; the removal of glasses or glass bottles used or discarded outside of the applicants premises;*
- *risk assessment of drinks promotions which may contribute to the impact on crime and disorder (e.g. 'happy hours'), and plans for minimising risks;*
- *measures to prevent the consumption or supply of illegal drugs, including any search procedures and entry policies. On licensed hotel or B&B premises, this should extend to keeping proper registrations of guests, with proofs of identification, and records of car registration numbers. Where applicable, applicants are encouraged to show that they can comply with the Home Office guidance Safer Clubbing in relation to the control of illegal drugs on their premises, and they should agree a protocol with the police on the handling of illegal drugs found on their premises.;*
- *where premises are subject to age-restrictions, the procedures in place to conduct age verification checks;*
- *the use or not of an ID scanning type system;*
- *the likelihood of any violence, public disorder or policing problem if the licence is granted;*
- *whether design of the premises has been considered having regard to reducing conflict and minimising opportunities for crime;*
- *the measures taken to control admission to, and dispersal from, the premises, including the use of registered door supervisors;*
- *any other such measures as may be appropriate, such as participation in a local pub watch scheme or other body designed to ensure effective liaison with the local community,*

- *'music wind-down policies',*
- *restrictions on 'happy hours', and other examples of industry best practice;*
- *the arrangements for delegating and accounting for responsibility for the supply of alcohol on community premises operated without a DPS.*

3.16 Section 8.20 of the Policy relates to the prevention of public nuisance. Specifically section 8.23 of the policy states:

The Authority would expect applicants to have demonstrated in their operating schedule that public nuisance concerns have been identified, with suitable control measures implemented and maintained. Factors that may be considered include, but are not limited to:

- *The location of the premises and proximity to residential and other noise sensitive premises*
- *The hours of opening, including times when licensable activities may not be taking place, last admission time and 'wind down period'*
- *Nature of activities provided*
- *Supervision of customers including managing dispersal*
- *Odour and light nuisance*
- *Litter and waste disposal*
- *the location of delivery and collection areas and delivery/collection times*
- *Noise management plan (where appropriate)*

3.17 Paragraph 9.37 and 9.38 of the government's revised Guidance issued under section 182 of the Licensing Act 2003 (herein 'the Guidance') 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 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.*

3.18 Paragraphs 9.42 – 9.44 of the Guidance deal with how to determine actions that are appropriate for the promotion of the licensing objectives.

3.19 If the Sub Committee 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.

Officer observations

3.20 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.

3.21 If the Sub-Committee believes that the application would not undermine any of the licensing objectives then the application should be granted as requested.

- 3.22 The Sub-Committee members should consider if they believe the applicant has provided evidence that the licence if granted would promote and not undermine the licensing objectives. This evidence should be balanced against the evidence given by those making representations that the licensing objectives would be undermined.
- 3.23 If the Sub-Committee believes that there is evidence that the granting of the licence 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. Members can attach conditions or take any steps they believe appropriate to promote the licensing objectives including: limiting the days, limiting the hours or even refusing the application in its entirety.
- 3.24 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.
- 3.25 If additional conditions are considered, the Sub-Committee should decide whether these steps would in fact address their concerns if the decision was made to grant the hours requested.
- 3.26 The Sub-Committee may wish to seek the opinion of the applicant on any proposed conditions to clarify which are agreeable so that the hearing can focus on those which are disputed.
- 3.27 For conditions to be enforceable they need to be clear, unambiguous and free from subjective terms. If a condition cannot be enforced then it should not be placed on any granted

licence.

3.28 Should the Sub-Committee grant the licence it is proposed that the applicants steps to promote the licensing objectives be converted into conditions to read:

- 1) *No "shots" shall be permitted to be sold from the premises.*
- 2) *Small measures of 1/3 pint sizes shall be used to provide tastings of beer, cider or perry*
- 3) *A schedule of training for staff and an age 25 identification policy must be implemented incorporating "Challenge 25".*
- 4) *A CCTV system shall be installed and maintained. Any recording shall be made available to the Police or an officer of the Licensing Authority on request in line with Data protection.*
- 5) *An incident log book / refusals log shall be maintained on site electronically and made available to the Police or an officer of the Licensing Authority on request.*
- 6) *There shall be no excessive noise that is audible by any noise sensitive premises.*
- 7) *Any person under the age of 18 must be accompanied by an adult.*

4.0 Options

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

- grant the application if they feel the application would promote and not undermine the licensing objectives; or
- grant the application as sought but at the same time impose additional conditions or amend the times for the supply of alcohol; or
- if members believe that there is evidence that shows that there are no steps that can be taken to ensure that the application sought would promote the licensing objectives then the application should be refused.

4.2 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 the Sub-Committee has relied upon when reaching their decision.

5.0 Risks

5.1 A decision on the application must be made and any decision made can be appealed at the Magistrate's Court. Therefore the Licensing Sub-Committee should ensure that when giving its decision on the application it gives clear reasons on how and why it has made its decision. In doing so, the council's ability to defend its decision is strengthened and the risk of its decision being over-turned on appeal is lessened, although, of course, this risk can never be entirely removed.

6.0 Implications/Consultations

6.1 There has been a statutory 28 day public consultation.

Community Safety

The report details the four licensing objectives, these objectives are detailed in paragraph 2.3 above, therefore Community Safety will be considered when determining the application.

Data Protection

Where the appendices originally contained personal data this has been redacted.

Equalities

Consideration has made to the Equality Act 2010 and the Public Sector Equality Duty in this report and will be considered during the Licensing Sub-Committee hearing.

Environmental Sustainability

No

Financial

There will be a cost to the authority in holding the Licensing Sub-Committee hearing, this will be covered by the existing budget. There would be a cost if the decision of the Licensing Sub-Committee is appealed to the Magistrate's Court and the authority chooses to defend that appeal, although if the appeal was subsequently dismissed by the court, the council could recover (at least some of) its costs.

Health and Safety

No

Human Resources

No

Human Rights

As with all applications and council functions, the Human Rights Act 1998 has been considered in this report and will be considered during the Licensing Sub-Committee hearing.

Legal

All statutory requirements have been considered in preparing this report.

Specific Wards

Yes – Bishop's Stortford - Meads

7.0 Background papers, appendices and other relevant material

- 7.1 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

- 7.2 East Herts Statement of Licensing Policy 2021-2026
https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Statement_of_Licensing_Policy.pdf
- 7.3 Appendix 'A' – Application for a New Premise Licence, including plans of the premises.
- 7.4 Appendix 'B' – Representations against the application.
- 7.5 Appendix 'C' – Map showing location of the premises.

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* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.
 Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private limited company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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 for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Mixed use bottle shop, tasting room, online delivery hub and nano brewery. Retailing specialty bottles, cans and beer from tap produced locally and from around the world plus small batches produced onsite by us. All products sold for takeaway or consumption onsite. A ground floor retail shop with refrigerated units for bottle/ can beer, a service bar with beer taps and space for merchandise. At the rear of the premises a warehouse space housing a nano brewery and barrels for a beer aging program, partitioned storage area for online deliveries and tables/ chairs for customers to sit and taste beer.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve: to be permitted until 01.00 hours

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="08:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:30"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve: to be open until 01.00 hours

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

The shop will retail specialist high-end beverages that will not appeal to minors nor encourage excessive drinking. Excessive quick drinking e.g. "shots" will not be permitted and staff will encourage beverages to be enjoyed slowly. Small measures of 1/3 pint sizes will be provided for tastings. We'll implement a schedule of training for staff and implement an age 25 identification policy. Public safety risk assessments (including fire safety) completed. Fire protection equipment installed. Public liability insurance. The prevention of public nuisance. Ensuring noise levels are kept to a minimum and customers asked to leave quietly. Children to be accompanied by an adult at all times. We will apply our 8 years experience operating existing licensed premises. These similar type premises have received no complaints or incidents to date. We will utilize this experience and implement our existing alcohol policy, staff training standards, log books and procedures at this new premises.

b) The prevention of crime and disorder

Customers who appear intoxicated will be refused service. Aggressive or intimidating customers will be refused service and reported to the police. CCTV system installed. Incident log book maintained on site electronically.

c) Public safety

Customers who appear intoxicated will be refused service. Aggressive or intimidating customers will be refused service and reported to the police. We will deter aggressive or intimidating behaviour. Emergency light fittings complying with BS 5266-1:2016 and a fire alarm system complying with BS 5839-1:2017 will be installed by qualified electrical contractors. Fire extinguishers will be appropriately installed and maintained. Fire risk assessment has been undertaken by a third party accredited contractor. We will work in accordance with the recommendations of this assessment. A copy of fire risk assessment will be forwarded on to the relevant fire authority.

d) The prevention of public nuisance

Activities will remain within the premises and customers will be asked to leave quietly. We will not allow excessive noise or disruptive behaviour. Music will only be permitted at ambient background volume.

e) The protection of children from harm

We will operate a strict age verification policy. We will log all age refusals on site electronically. Persons under the age of 18 must be accompanied by an adult. We will report any suspected occurrence of harm to children to the police.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Fees for all Licensing Act 2003 permissions have been set by central government. The fees are based on the non-domestic rateable value of the premises. These are divided into 5 bands: band a NDRV £0 - £4300, fee = £100 band b NDRV £4,301 - £33,000, fee = £190 band c NDRV £33,001 - £87,000, fee = £315 band d NDRV £87,000 - £125,000, fee = £450 band e NDRV £125,001 and over, fee = £635

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment only at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

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DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15)

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/east-hertfordshire/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

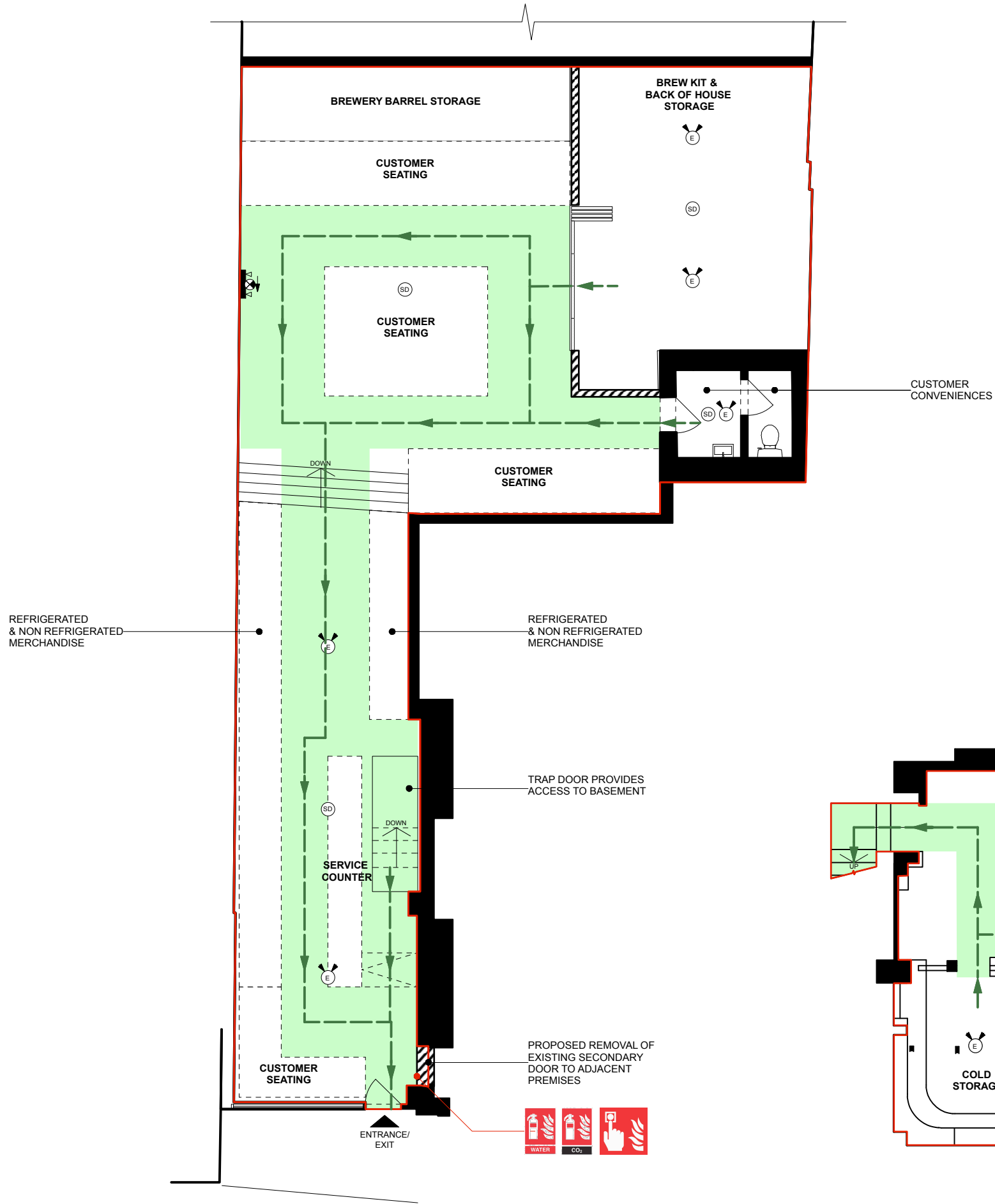
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

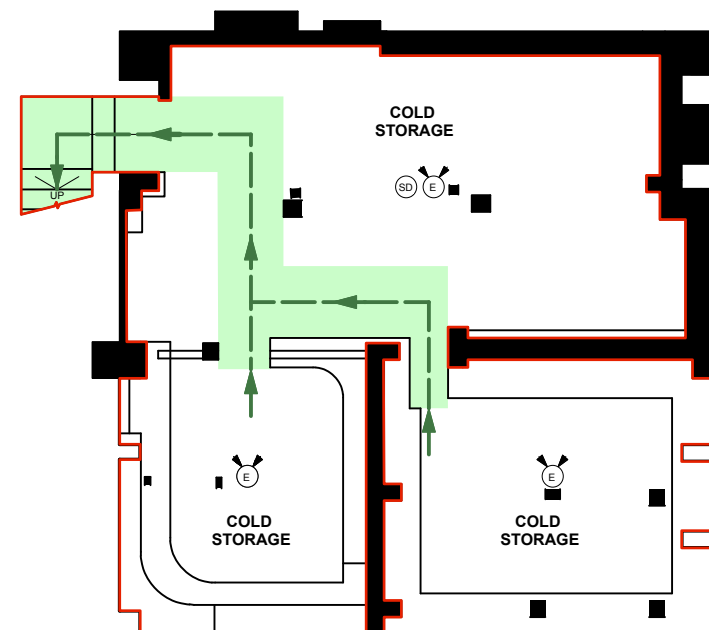
OFFICE USE ONLY

Applicant reference number	<input type="text" value="26a Northgate End Premises License"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)










1 PLAN - GROUND FLOOR
Scale: 1:100



2 PLAN - BASEMENT
Scale: 1:100

LEGEND

-  MANUAL CALL POINT
-  FIRE ESCAPE ROUTE
-  SMOKE DETECTOR
-  EMERGENCY LIGHT & EXIT LIGHT WALL MOUNTED
-  EMERGENCY LIGHT CEILING MOUNTED
-  CO2 EXTINGUISHER
-  WATER EXTINGUISHER

Revisions:

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Client Name:
BEER SHOP

Project Title:
STORE & TAPROOM

Site Address:
26 NORTHGATE ROAD
BISHOPS STORTFORD
CM23 2ET

Drawing title:
PLAN - PROPOSED USAGE & ACCESS STATEMENT

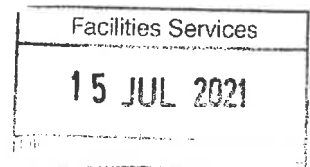
Drawing no: AS_01	Revision: -	Scale @ A3: 1:100
Date: 17.06.21	Drawn by: -	Checked by: -

Status:
FOR INFORMATION ONLY

NORTHGATE END
BISHOPS STORTFORD
HERTS CM23

EAST HERTS COUNCIL
WALLFIELDS
PEGS LANE
HERTFORD
SG13 8EQ

13th July 2021



Dear Sir,

Re Beer shop at Northgate End and APPLICATION FOR A LIQUOR LICENCE

I WRITE TO OBJECT STRONGLY TO THE PROPOSED Beer Shop in Northgate End.

The shop will be very close to the Wheatsheaf Public House, and in an area mostly

Residential. There is no parking outside the proposed shop and even now we find people using the Public House park in our road which is a private roadway. Parking there causes problems for residents to access their own properties and it is also the main access to the Northgate Youth Centre for which an emergency access in Yew Tree Place requires a clear passage. Siting a beer shop only yards away from a Youth Centre is asking for trouble. The area is also specifically designated by the police to be alcohol free. We would be very concerned for the well being of young people who might be tempted to use the area for illicit purposes. The new multi storey carpark is only yards away from the proposed shop and this could lead to crime or disorder in that new building or in the outside car park at the rear of our houses. Most of our residents are elderly people and would find it frightening to cope with abuse of drinking in a public area so close to residential properties.

Finally we would draw the council's attention to the fact that in North St, only 5 minutes walk away, there are many eating places together with a shop selling alcohol, We can see no need to extend the area for this type of business, which might easily cause a public

Yours truly

Northgate End
Bishops Stortford
Herts, CM23

The Licensing Authority
East Herts District Council,
Wallfields
Pegs Lane
Hertford, SG13 8EQ

15th July 2021

RE: 21/0490/PL John Gudgin, application for new premises licence for the Beer Shop Ltd, 26A Northgate End, Bishops Stortford, CM23 2EU, to sell alcohol from Monday - Sunday 10am - 10pm, New Year's Eve 10am - 1am

We strongly object to this application on the following grounds that undermine the licensing objectives viz:

- **Prevention of crime and disorder** – the potential noise and activity of people under the influence of alcohol within this largely residential area is a high risk
- **Protecting public safety** – there is NO parking whatsoever outside the premises. It is almost directly opposite a very busy junction and before the traffic calming areas further along Rye Street. It is inevitable people will park nearby on the already crowded streets and also on the main road which is the main thoroughfare into the town from the Stansted Mountfitchet side. Any parking at all here will cause issues with overtaking just before the pedestrian crossing and blind hill on the other side. This will introduce additional risk to pedestrians, local residents and drivers on the main and adjacent roads. This is a main thoroughfare used by school children, and dangerous enough without the addition of alcohol and people under the influence of alcohol at all times of the day to the mix.
Additionally, the local YMCA is less than 500m away. This houses vulnerable young people and it will add an extra challenge to managing this operation and to keeping young people safe.
- **Preventing public nuisance** – it is hard to see how this application will not result in public nuisance. We are relatively near supermarkets and other off-licences in the centre of town. This application is for premises on the 'wrong' side of town as you walk/drive away from the centre so is clearly aimed at those walking/driving into town – buying drinks here means those of us who live between the premises and the town centre will be subject to noise, litter, and general raucousness including vomiting outside peoples' houses that accompanies alcohol consumption. We will already have significant additional disturbance to contend with because of the multi – storey car park being constructed and this will definitely add more noise, stress, and public

nuisance to the mix. We would like to preserve as much of the quiet as we can, especially given alcohol sales are already well-catered for in the area.

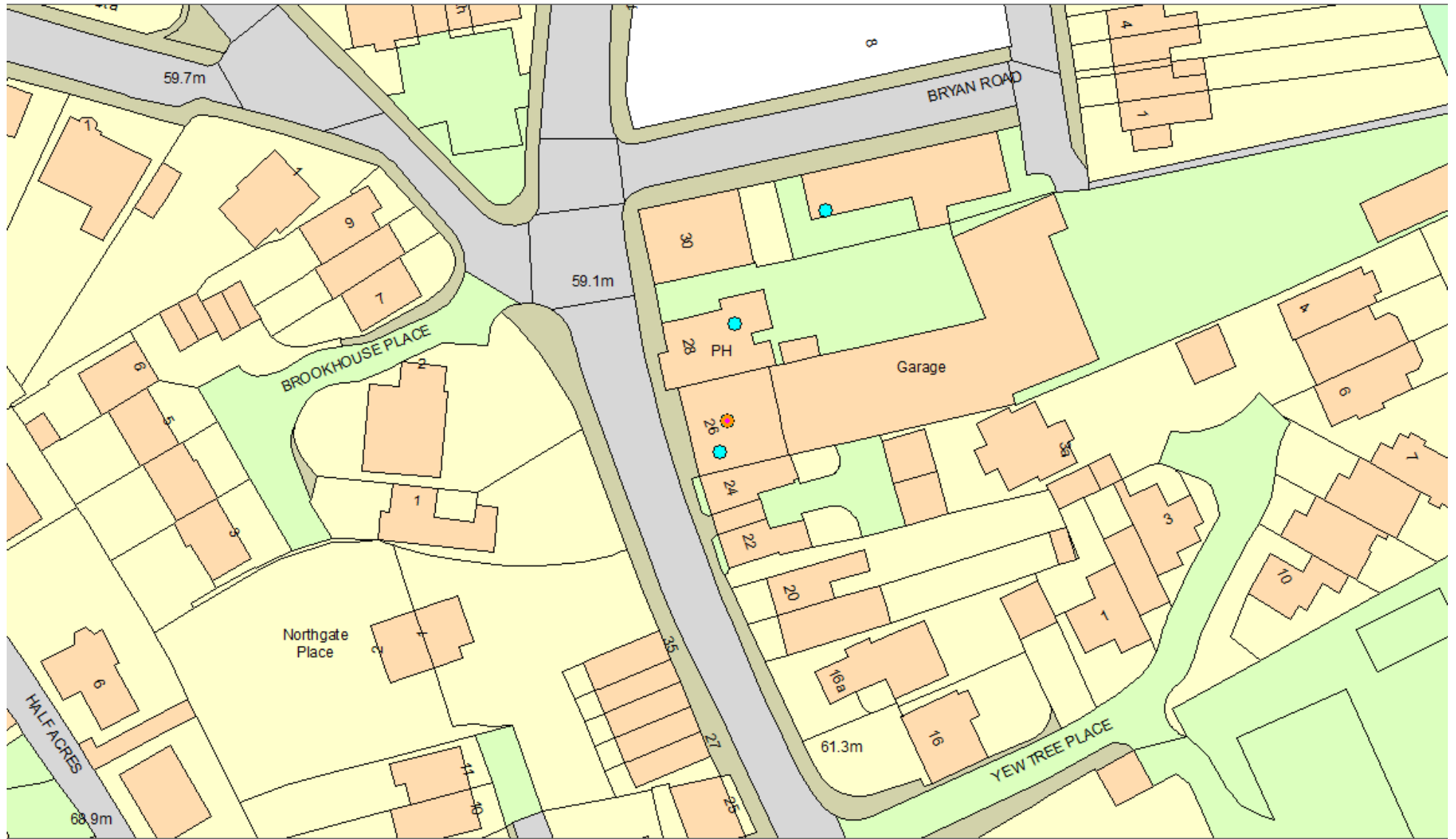
Finally, as mentioned this is a largely residential area, and the former petrol station which used to cause a disturbance (simply with people buying petrol and foodstuffs/confectionary!) was converted into a residential site around 5 years ago, so we have even more people living in this area now, along with those who are about to arrive in the 10 or so new terrace houses being built about 20m away!

Takeaways, and other business operations remain on the roundabout area at the top end of North Street. Allowing such a business to operate would mean that this entire residential area suffers, and the conservation area between the premises and the town will become isolated, with the risk it becomes an uncared for strip, 'sandwiched' between commercial outlets.

We cannot object strongly enough to this proposal

Yours sincerely,

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