



# Public Document Pack

James Ellis  
Head of Legal and Democratic Services

**MEETING** : LICENSING SUB-COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : TUESDAY 12 SEPTEMBER 2023  
**TIME** : 10.00 AM

This meeting will be live streamed on the Council's Youtube page:  
<https://www.youtube.com/user/EastHertsDistrict>

## **MEMBERS OF THE SUB-COMMITTEE**

Councillors T Deffley, J Dunlop and S Marlow

**COMMITTEE OFFICER: MICHELE AVES**  
**01279 502177**  
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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

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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 - 14 August 2023 (Pages 6 - 14)

To approve the Minutes of the Sub-Committee meeting held on 14 August 2023.

6. Summary of Procedure (Pages 15 - 21)

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

7. Application for a new premises licence for The Lounge, Unit 25 The Maltings Business Centre, Roydon Road, Stanstead Abbots, Ware, Hertfordshire, SG12 8HG (23/0804/PL) (Pages 22 - 61)

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.



# Agenda Item 5

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MINUTES OF A MEETING OF THE  
LICENSING SUB-COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON MONDAY 14 AUGUST 2023,  
AT 10.00 AM

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PRESENT: Councillor J Dunlop (Chairman)  
Councillors S Bull and R Townsend

ALSO PRESENT:

Councillors T Deffley and G Williamson

OFFICERS IN ATTENDANCE:

Michele Aves	- Democratic Services Officer
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Peter Mannings	- Democratic Services Officer
Katie Mogan	- Democratic Services Manager
Claire Spendley	- Senior Environmental Health Officer
Brad Wheeler	- Senior Licensing and Enforcement Officer

ALSO IN ATTENDANCE:

John Ampem	- Promoter for Applicant
Richard Bennett	- Objector
Joseph Cannon	- Barrister
Tommy Clee	- Hertfordshire County Council
Police Sergeant Nathan Howson	- Hertfordshire Constabulary
Police Sergeant Clare Ramirez	- Hertfordshire Constabulary
Josh Silver	- Applicant

16 APPOINTMENT OF CHAIRMAN

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

**RESOLVED** – that Councillor Dunlop be appointed Chairman for the meeting.

17 APOLOGIES

There were no apologies for absence.

18 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all participants to the meeting and asked that they use their microphones when speaking as the meeting was being webcast.

19 DECLARATIONS OF INTEREST

There were no declarations of interest.

20 MINUTES - 22 MAY AND 6 JUNE 2023

It was moved by Councillor Townsend and seconded by Councillor Bull that the Minutes of the Sub-Committee meetings held on 22 May 2023 and 6 June 2023 be confirmed as correct and signed by the Chairman. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

**RESOLVED** – that the Minutes of the Sub-Committee meetings held on 22 May 2023 and 6 June 2023 be signed by the Chairman.

21 SUMMARY OF PROCEDURE

The Chairman drew the hearings attention to the Summary of Procedure which was included in the agenda pack at pages 22 - 28.

22 APPLICATION FOR A NEW TIME LIMITED PREMISES LICENCE FOR AMA FEST, SILVER LEYS POLO CLUB, MILLFIELD LANE, BURY GREEN, LITTLE HADHAM, HERTFORDSHIRE  
(23/0781/PL)

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The Head of Legal and Democratic Services advised the hearing that additional evidence had been received from the Applicant on 10 August 2023. He said that this evidence had been received outside of the required



timeframe, which was no later than five working days before the date of the hearing.

The Head of Legal and Democratic Services said that in line with hearing regulations the late additional evidence received from the Applicant could be included at the acceptance of the other participants.

The Chairman asked each of the Interested Parties and the Responsible Authorities if they were happy to accept the additional late evidence received from the Applicant.

After receiving the agreement of each of the Interested Parties and the Responsible Authorities, the Chairman advised the hearing that redacted copies of the late evidence received from the Applicant would be made available. He said that there would be an adjournment of forty-five minutes to allow all participants to read and digest these papers.

Councillor Dunlop proposed and Councillor Bull seconded a motion to adjourn the meeting for forty-five minutes to allow all participants to read and digest the late additional evidence received from the Applicant. After being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – that the meeting be adjourned for approximately forty-five minutes.

The meeting reconvened at 10.50, with all participants in agreement that they were happy to proceed.

The Chairman asked the Senior Licensing and Enforcement Officer if he had anything to add with regards to the late additional evidence received from the Applicant. The Senior Licensing and Enforcement Officer said he would let the Applicant address the late additional evidence, which now sought a licence to allow 7000 event attendees.

The Senior Licensing and Enforcement Officer presented his report and summarised the application. There were no questions from the applicant, the Responsible Authorities or the Interested Parties.

The Applicant's legal representative presented the application and questions were answered from the Sub-Committee and the Interested Parties. There were no questions from the Responsible Authorities or officers.

The Responsible Authority (Hertfordshire Constabulary) gave their submission and introduced their witness from Hertfordshire County Council. Questions were answered from the Applicant, the Sub-Committee and the Interested Parties. There were no questions from Officers.

The Interested Parties made their submissions and questions were answered by the Applicant. There were no questions from the Sub-Committee, the Responsible Authorities or Officers.

In line with procedure, at the conclusion of closing statements, the Sub-Committee retired to consider the evidence presented to the hearing by the Applicant

and the Applicant's Legal Advisor, the responsible authorities and the interested parties. They were accompanied by the Democratic Services Officer and the Head of Legal and Democratic Services.

The Sub-Committee reconvened in public session to give its decision. The Head of Legal and Democratic Services set out the legal advice which he had given to the Sub-Committee during their deliberations.

The Chairman said that the Sub-Committee had considered the application for a new time limited premises licence for AMA Fest, Silver Leys Polo Club, Millfield Lane, Bury Green, Little Hadham, Hertfordshire (23/0781/PL). Members had read and listened to the comments of the Senior Licensing and Enforcement Officer, the Applicant, the Responsible Authorities, and the representations from the Interested Parties.

In determining this matter, the Sub-Committee had decided:

### **DECISION OF LICENSING SUB COMMITTEE**

To grant the application for the following licensable activities:

- 1) For the sale of alcohol on the premises only  
Saturday, 2<sup>nd</sup> September 2023 11:00 – 23:00,
- 2) Live and recorded music  
Saturday, 2<sup>nd</sup> September 2023 11:00 – 23:00

- 3) Premises open to the public  
Saturday, 2<sup>nd</sup> September 2023 10:00 – 00:00 on  
Sunday 3<sup>rd</sup> September 2023

And subject to the following conditions:

- To limit the capacity of the event to 4,999 attendees plus staff of 499.
- That the licence be conditional on the Applicant submitting a traffic management plan that is acceptable to the Highway Authority, inclusive of all information around Traffic Regulation Orders.
- That the licence be conditional on the Applicant submitting a final Event Management Plan/Event Safety Management Plan, that is acceptable to the responsible authorities, no fewer than 14 days before the event.
- That sound checks only take place within a one-to-two-hour window between 12:00 and 19:00.
- That measures be put in place, including traffic marshals and the installation of trackway material to avoid degrading of the verge, at the junction of Millfield Lane and the unnamed road (near Cradle End) to manage the traffic moving along the road during all times that the event is open to the

public.

- That the Applicant takes measures to manage taxis arriving at the site, including signage and active marshalling, to ensure that attendees are only dropped off/picked up in the designated pick up and drop off location.

## **REASONS FOR DECISION**

1. The Licensing Sub-Committee considered all of the evidence before it including the written representations made by the interested parties. Members had regard to the Council's Statement of Licensing Policy, the Licensing Act 2003 and the guidance promulgated pursuant to Section 182 of that Act.
2. The Licensing Sub-Committee is required to adopt a presumption in favour of granting a premises licence unless there is clear evidence upon which to base a refusal or modification. There was insufficient evidence before the Sub-Committee to rebut that presumption.
3. In coming to its decision, the Sub-Committee is mindful to strike a healthy balance between residents' interests and supporting the local economy. Members were mindful of the concerns addressed by the Interested parties in relation to access to and from the site, however the Sub-Committee are confident that an acceptable traffic management strategy that is

acceptable to the Highway Authority will assist in the swift dispersal of attendees.

- 4. Members are mindful that the conditions agreed with Environmental Health and those offered up today are appropriate to promote the licensing objectives and will address many of the representations received.

The Chairman advised that the decision would be issued in writing, and that there was the right of appeal within 21 days to the magistrate’s court.

**RESOLVED** – that the application for a new time limited premises licence for AMA Fest, Silver Leys Polo Club, Millfield Lane, Bury Green, Little Hadham, Hertfordshire (23/0781/PL), be granted.

23 URGENT BUSINESS

There was no urgent business.

The meeting closed at 3.04 pm

Chairman .....
Date .....

## LICENSING SUB-COMMITTEE

### EXTRACT FROM RULES OF PROCEDURE

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

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

#### **8.0 Procedure at hearing**

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

- 8.1 The order of business shall be at the discretion of the Sub-Committee, but shall normally proceed in accordance with the following paragraphs.
- 8.2 The Chairman shall at the beginning of the hearing, introduce 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

<b>Term</b>	<b>Meaning</b>
<b>Applicant</b>	<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>
<b>Interest</b>	A Disclosable Pecuniary Interest as defined in the Council's Members' Code of Conduct.
<b>Other parties</b>	Any persons making relevant representations or any person who is representing such persons.
<b>Licensing Authority</b>	East Hertfordshire District Council
<b>Parties to the Hearing</b>	The applicant and any parties that have made relevant representations or submitted a valid objection notice.
<b>Relevant Representations</b>	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.
<b>Responsible Authority</b>	The bodies that must be consulted regarding certain applications and that are entitled to make representations to the Licensing Authority.

# Agenda Item 7

## **East Herts Council Report**

### **Licensing Sub-Committee**

**Date of Meeting:** 12 September 2023

**Report by:** Jonathan Geall, Head of Housing & Health

**Report title:** Application for a new premises licence for The Lounge, Unit 25 The Maltings Business Centre, Roydon Road, Stanstead Abbots, Ware, Hertfordshire, SG12 8HG (23/0804/PL)

**Ward(s) affected:** Great Amwell & Stansteads

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### **Summary**

An application for a new premises licence has been received from SOKA Catering & Events Ltd. Representations against the application have been made by five interested parties. Where representations are received against an application, and not withdrawn, there must be a Licensing Sub-Committee meeting to decide that application. This report is to inform that decision.

## **RECOMMENDATIONS FOR LICENSING SUB-COMMITTEE**

**(a) The application for a new premises licence be decided.**

### **1.0 Proposal(s)**

- 1.1 Members of the Licensing Sub-Committee should determine the application to grant a premises licence to SOKA Catering & Events Ltd 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 Statement of Licensing Policy (herein 'the 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 council'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 council'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 by SOKA Catering & Events Ltd on 22<sup>nd</sup> June 2023. The application has been correctly advertised and consulted upon as required by legislation and regulations.

- 3.2 The application requests following licensable activities to be granted:

<b>Licensable Activity</b>	<b>Day</b>	<b>Hours applied for</b>
Supply of alcohol (for consumption on & off the premises)	Sunday – Thursday	12:00 – 23:00
	Friday – Saturday	12:00 – 00:00
Late night refreshment	Friday – Saturday	23:00 – 00:00
Opening times	Sunday – Thursday	12:00 – 23:00
	Friday – Saturday	12:00 – 00:00

- 3.3 A redacted copy of the application form for a new premises licence is attached as Appendix 'A'.
- 3.4 Section 18 of the application form asks the applicant to describe any additional steps they intend to take to promote the four Licensing Objectives as a result of the application.
- 3.5 During the 28-day statutory public consultation period five representations were received from residents as interested parties. All the representations are attached as **Appendix 'B'**.



- 3.6 Between them, the representations suggest that the Prevention of public nuisance licensing objective would be undermined should the application be granted as applied for.
- 3.7 Following discussions with the Police in their role as responsible authority under the Licensing Act 2003, the applicant agreed to several additional conditions to mitigate the Police's concerns. The conditions agreed with the Police are at **Appendix 'C'**. As part of these agreed conditions the applicant agreed to remove one of the outside areas from their application.
- 3.8 A plan of the area in which the premises are located is attached as **Appendix 'D'**. This can be used to illustrate the location of the premises in relation to residents and other businesses.

## **Policy and Guidance**

- 3.9 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 of The Lounge would be '*Café*'.
- 3.10 The proposed premises are not within the area designated as a 'Town Centre' in section 7.0 of the Policy as such this as 'other area'.
- 3.11 The table at 6.9 of the Policy details the council'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 'Café' in this type of location when valid and relevant representations have been received:

*Will generally be granted alcohol sales no later than 20:00.*

3.12 Section 8 of the Policy states that:

*8.1 The Licensing Authority must carry out its functions with a view to promoting the four Licensing Objectives, each of which has equal importance:*

- *the prevention of crime and disorder,*
- *public safety,*
- *the prevention of public nuisance, and*
- *the protection of children from harm.*

*8.2 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not therefore be seen as a means for solving all local problems. The Licensing Authority will therefore continue to work in partnership with all stakeholders and partners towards the promotion of the Licensing Objectives.*

3.13 Paragraphs 8.6 to 8.39 of the Policy contain information on how the council considers applications in respect of each of the Licensing Objectives.

3.14 The Home Office issued '**Guidance issued under section 182 of the Licensing Act 2003**' (herein 'the Guidance') states at paragraph 9.37 and 9.38 that:

*9.37 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.*

9.38 *In determining the application with a view to promoting the Licensing Objectives in the overall interests of the local community, the Licensing Sub-Committee 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.*

3.15 Paragraphs 9.42-9.44 of the Guidance deal with how to determine actions that are appropriate for the promotion of the Licensing Objectives.

3.16 If Members are minded to impose conditions to mitigate concerns regarding the undermining of the Licensing Objectives, then Chapter 10 of the Guidance deals with conditions attached to premises licences. Paragraphs 10.8-10.10, 10.13-10.15 would be particularly relevant along with the East Herts '**Pool of Model Conditions**'.

## Officer observations

- 3.17 Whilst the hours and activities applied for are later than those detailed in East Herts 'Statement of Licensing Policy' this is the starting point for this type of premises, this does not fetter the Sub-Committee's ability to decide on that shorter or longer hours or a refusal if they feel this is more appropriate in the circumstances of the individual application. The Policy is a starting point from which decisions can be made; should the Policy be departed from then members should clearly give their reasons for doing this.
- 3.18 Representation 1 – This representation is from a Parish Councillor who is also a nearby resident who has concerns around noise and the hours of operation.
- 3.19 Representations 2, 3, 4 and 5\_– These representations are from nearby residents who have concerns, predominately around noise and the hours of operation. One representation states they were disturbed during an event of 11<sup>th</sup> June 2023. There was no authorisation in force at the time of the alleged event as such Members may wish to ask the applicant for more information on the type of event they were carrying out and the Interested Party on how they were affected by the alleged event.
- 3.20 The Guidance, at para 2.15 states in relation to Public nuisance:

*The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering*

*the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.*

3.21 Environmental Health, whose area of expertise includes nuisance, did not make a representation against the application. It is therefore reasonable to conclude that Environmental Health do not believe that granting the licence, including the agreed conditions, would cause 'disproportionate and unreasonable' effects on local residents or businesses.

3.22 The Sub-Committee should consider whether the operation of the licensed premises would be likely to cause a public nuisance having considered the evidence presented and the location of the premises.

## **4.0 Options**

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

- *grant the application as requested if they feel the application would promote and not undermine the licensing objectives; or*
- *grant the application but at the same time impose additional conditions or amend the activities or times requested; 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 members have relied upon when reaching their decision.
- 4.3 As stated in the Guidance, the council'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.

## **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 their decision on the application they give clear reasons on how and why they have made their 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 As with any application for a new premise licence / variation of premise licence or review of a premise licence there is a 28 day public consultation.

## **Community Safety**

The report details the four licensing objectives therefore

Community Safety will be considered when determining the application.

### **Data Protection**

Where the appendices have shown 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 Magistrates Court and the authority chooses to defend that appeal.

### **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 – Great Amwell & Stansteads

## 7.0 Background papers, appendices and other relevant material

- 7.1 Revised Guidance issued under section 182 of the Licensing Act 2003 (December 2022) -  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1125660/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_December\\_2022.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1125660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_December_2022.pdf)
- 7.2 East Herts Statement of Licensing Policy 2021-2026  
<https://cdn-eastherts.onwebcurl.com/s3fs-public/2022-03/Statement%20of%20Licensing%20Policy%202021-26%20Mar%202022.pdf>
- 7.3 East Herts Pool of Model Conditions 2021  
<https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2021-08/Pool%20of%20Model%20Conditions%202021%20%28accessible%29.pdf>
- 7.4 Appendix 'A' – Application for a New Premise Licence (redacted).
- 7.5 Appendix 'B' – Representations against the application..
- 7.6 Appendix 'C' – Conditions agreed with the Police.
- 7.7 Appendix 'D' – Location Plan.



**Contact Officer**

Jonathan Geall – Head of Housing and Health

Contact Tel No 01992 531594

[jonathan.geall@eastherts.gov.uk](mailto:jonathan.geall@eastherts.gov.uk)

**Report Author**

Brad Wheeler – Senior Licensing & Enforcement  
Officer)



\* 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	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	The Lounge 2023	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	[REDACTED]
* Family name	[REDACTED]
* E-mail	[REDACTED]
Main telephone number	[REDACTED]
Other telephone number	[REDACTED]

Include country code.

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	12238738
Business name	SOKA Catering & Events Ltd
VAT number	- 394003019
Legal status	Private Limited Company

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.

The Lounge is a coffee shop by day that is run by Henry Jacob and Natalie McIntyre of SOKA Catering & Events LTD. We wish to host food events on the premises and in the future potentially open on a Friday and Saturday evening to provide a food offering to the public. In this instance we would like to be able to sell alcohol. The coffee shop is on the first floor at the rear of the building. We can seat approximately 40 - 60 guests and accommodate around 100 standing. We have a kitchen where we prepare food (5 star rating from East Herts EHO) which is attached to the coffee shop. We have two outdoor

**Continued from previous page...**

spaces available, one directly outside the coffee shop in the Maltings yard and one in the park which is situated the other side of the car parks (both marked on the application). The entire site is located on private land, owned and managed by French & Jupps Ltd. There is 24 security on site at the entrance gatehouse and CCTV throughout the site.

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**

Continued from previous page...

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

**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

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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...

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Sale of hot food and drinks to the public in the opening hours of 23:00 - 00:00 on fridays and saturdays

State any seasonal variations

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

N/A

Non-standard timings. Where the premises will be used for the supply of late night refreshments 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.

N/A

## 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.



Continued from previous page...

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

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.

Continued from previous page...

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

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**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.

Continued from previous page...

**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.

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

SUNDAY

Start

End

Start

End

State any seasonal variations

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

**Continued from previous page...**

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.

**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)

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

We aim to host food events at the premises at which we will also sell alcohol. As such we do not anticipate heavy drinking. However we will always have a designated personal license holder on site at events that involve selling alcohol to manage the service of alcohol. We will not serve alcohol to anyone that is drunk. We will not serve alcohol to anyone that cannot provide us with valid ID showing they are over the age of 21 and will ask anyone that looks younger than 25 for ID. We will always be aware of our neighbors and will ensure our guests leave the premises in an orderly and quiet fashion. Child access will be restricted in the evenings. Noise and light levels outside will be monitored and considered closely.

b) The prevention of crime and disorder

We have good CCTV positioned throughout the site, 24 hour on site-security at the entrance gatehouse. The site is also alarmed and checked at intervals throughout the night. We would not encourage any excessive drinking, any drinking on site would be done alongside the consumption of food.

c) Public safety

Risk assessments will be completed and available on site. All staff will be shown risk assessments and regular staff training will outline the protocols to ensure public safety. A first aid trained member of staff will always be on duty. All events we hold will be private or ticketed so we do not envisage overcrowding being an issue. Where appropriate durable plastic vessels would be supplied, especially when the event is taking place outside.

d) The prevention of public nuisance

Guests will be asked to be mindful of our neighbours and to leave the premises in a timely fashion and not hang around outside. External areas would not be used for events after 10pm. We'd have a designated smoking area outside The Lounge but away from public view and residential areas. All deliveries and waste disposal will take place between 8am and 6pm Mon-Fri.

e) The protection of children from harm

We will restrict access of children, especially on evening events. We'll employ a no ID no Sale policy, with anyone looking under the age of 25 being asked for ID. We will only accept driving licenses and passports as ID. We will also monitor the sale of alcohol closely and ensure no alcohol is being purchased by persons over the age of 18 to then be given to a child.

**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](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 you 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 (£)

315.00

*Continued from previous page...*

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**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" value="United Kingdom"/>

**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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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.

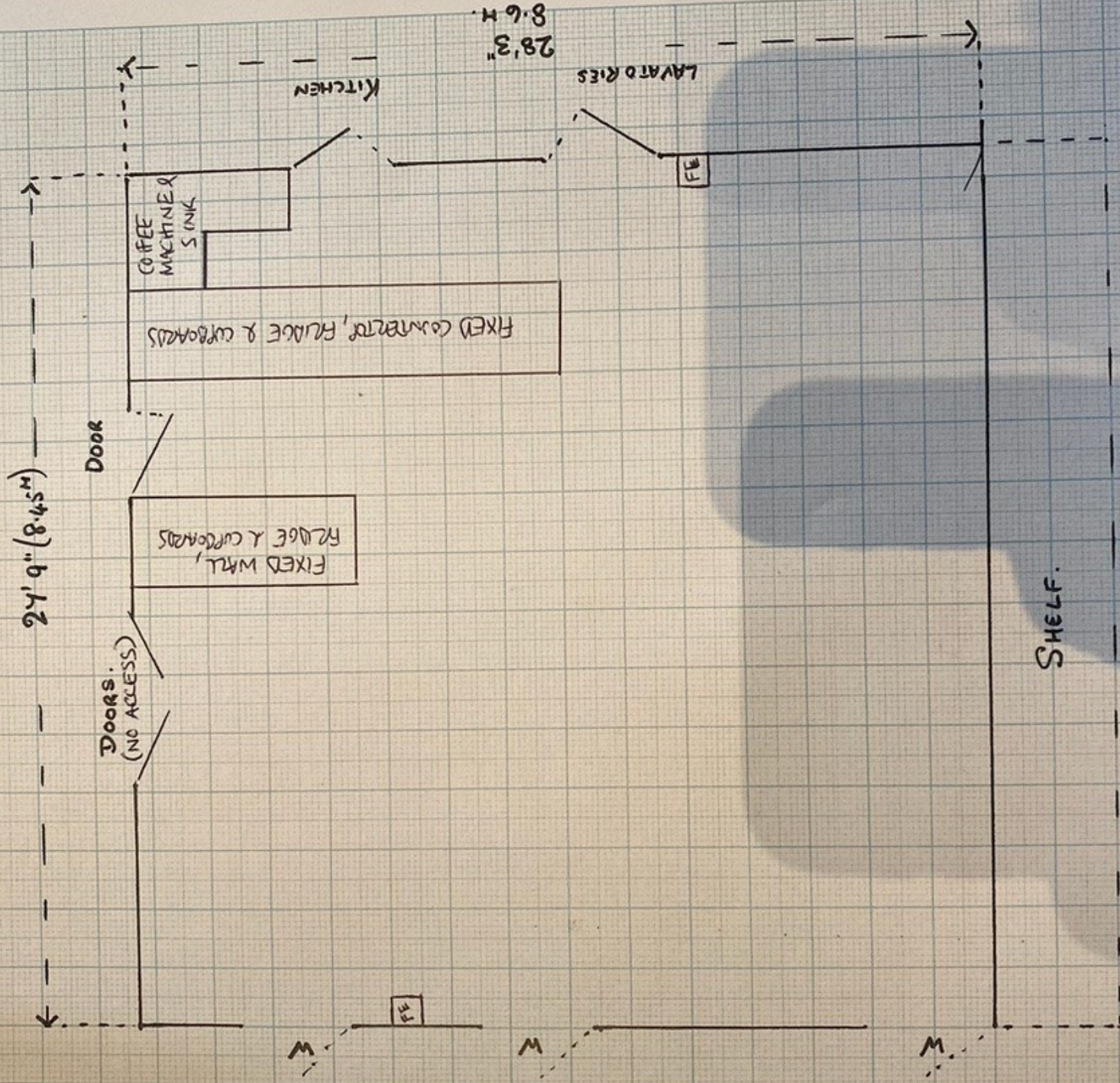
Don't forget to make sure you have all your supporting documentation to hand.

*Continued from previous page...*

**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**

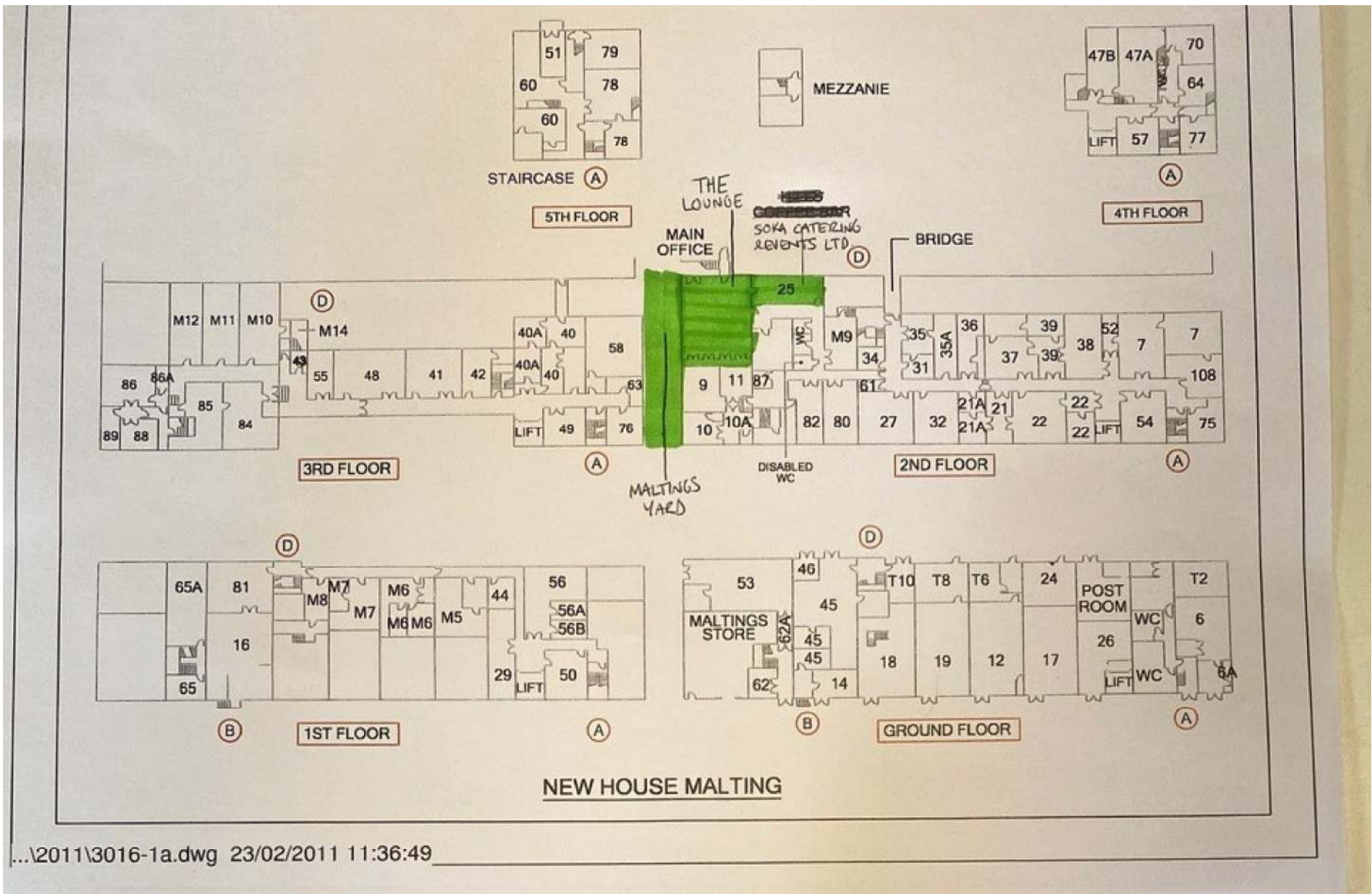




MUSEUM CONFERENCE CENTRE

73 SQ METRES 560 SQ FT.





...\\2011\3016-1a.dwg 23/02/2011 11:36:49

## The Lounge - 23/0804/PL – Representations

### Representation 1

From: **XXXX**

Sent: 18 June 2023 08:06

To: Housing & Health Services - Community Protection

<Community.Protection@eastherts.gov.uk>

Subject: [External] Re Notice of Application number:23/0804/PI SOKA Catering and Events Ltd.

Good morning

I sit on the Stanstead Abbots Parish Council and will be opposing this Application for an alcohol licence. I also wish to oppose this application on behalf of the residents of Glenmire Terrace, where I live, as we all suffer enough from the rowdy clients of the village club, and THIS Notice of Application is asking for, not only Sunday through to Thursday 12.00-23.00, but also Friday and Saturday 12.00-00.00. This will create even more people on the wrong side of sobriety making noise and then cars being driven away late into the evening. This will not be acceptable to the residents that live in this area, so we are objecting on these grounds.

Kind regards

**XXXX**

### Representation 2

From: **XXXX**

Sent: 05 July 2023 22:20

To: Housing & Health Services - Community Protection

<[Community.Protection@eastherts.gov.uk](mailto:Community.Protection@eastherts.gov.uk)>

Subject: [External] Re notice of application no 23/0804/PI SOKA Catering and Events Ltd

Dear **XXXX**

I am objecting to the above application as a resident of Glenmire Terrace in Stanstead Abbots on the grounds of noise pollution next to a residential area. The applicants have requested late night alcohol license on/off premises which I understand to mean outside noise every night of the week including weekends. I live directly opposite these premises, approximately 13 metres away and I feel this will cause major disruption and noise within unsociable hours.

Yours sincerely,

**XXXX**

### Representation 3

From: XXXX

Sent: 06 July 2023 14:50

To: Housing & Health Services – Community Protection

Subject: [External] Planning No.23/0804PI My reasons being I live directly opposite the Maltings, XXXX Glenmire Terrace, I totally agree with the major noise, disruption and invasion of privacy. XXXX.

Sent from my iPhone

### Representation 4

**From:** XXXX

**Sent:** 07 July 2023 07:57

**To:** Housing & Health Services - Community Protection

<Community.Protection@eastherts.gov.uk>

**Cc:** XXXX

**Subject:** [External] Notice of Application No: 23/0804/P1

Names: XXXX, XXXX

Address: XXXX Glenmire Terrace, Stanstead Abbots, Ware, SG12 8XX

Email: XXXX, XXXX

Tel: XXXX, XXXX

Date: 7 July 2023

Notice of Application No: 23/0804/P1

Dear XXXX

We are writing this letter as concerned residents of XXXX Glenmire Terrace, regarding the recent applications made by SOKA Catering& Events Ltd.

While we appreciate the importance of economic development & business opportunities within the community, we strongly object to the granting of this application due to the adverse effects it will have on our neighborhood, particularly in relation to noise pollution, potential for public nuisance & its impact on the well-being of our family.

New Proposed Opening Hours

Our primary concern is the potential of noise disturbances caused by patrons visiting The Lounge premises during the newly proposed evening night hours between 6pm-12am.

Our family home & garden backs onto The Maltings Business Centre carpark, where the entrance to The Lounge resides. This will be where patrons arrive & leave, either on foot or by car. Whilst we are used to the noise of The Maltings Business Centre during the day, it is very rare activity occurs on the premises once current business hours cease & the evenings are very peaceful.

We anticipate that the presence of cars & taxis picking up patrons from the establishment could contribute to noise pollution in the late evening hours. The idling of engines, slamming of car doors, & social conversations occurring outside the venue could create additional disturbances between 6pm-12am. These disturbances, coupled with people congregating & sitting at the outdoor tables & picnic benches by the stream (a stone throw away from our back garden & bedroom windows), would exacerbate the noise issues.

This disturbance would be particularly concerning for our family as we have a young child (daughter, 11 months) with a serious medical condition that requires a peaceful & restful environment for adequate sleep.

Due to our child's medical condition, disturbed sleep patterns could lead to severe consequences, potentially leading to the need for emergency medical attention at the A&E department. This not only poses significant stress, worry & inconvenience on us as a family, but puts our child's health at risk. It is crucial that we maintain a peaceful residential environment to minimize such risks & ensure the well-being of our young child.

We have already witnessed our child's sleep being disturbed during the evening when a group held an outdoor gathering & meal in the carpark of The Maltings on Sunday 11 June until 10pm. We later discovered this alfresco event was hosted by the owners of The Lounge (SOKA Catering & Events Ltd.)

### **Supply of alcohol for consumption on & off the premises**

Regrettably, the consumption of alcohol can give rise to disruptive and disorderly conduct, particularly during late hours on Fridays & Saturdays. Such behaviour contributes to escalated noise levels that significantly disrupt the serenity & harmony of our community.

Moreover, we express deep concern regarding the potential consequences of consuming refreshments & alcohol in outdoor public seating areas due to the risk of bottles or glasses being shattered & abandoned. As numerous individuals walk their dogs in the vicinity & frequently visit Good Companions Vet, this situation poses a genuine threat to the safety & well-being of not only the dogs but also Mill Stream's swans, geese, ducks, & moorhens.

We kindly request that the council takes into account the concerns of the local residents in close proximity of The Lounge at The Maltings Business Centre. Granting an alcohol & late night opening license without proper consideration for the potential noise pollution & its impact on the community would disregard the well-being & safety of the residents, including those with specific medical needs.



We respectfully ask that you consider our objection seriously, & thoroughly review the implications of granting this license. Additionally, we would appreciate being informed about any relevant public meetings, consultations or updates regarding this application.

Thank you for your attention to this matter. We trust that you will give our objection the consideration it deserves.

Yours sincerely,  
**XXXX & XXXX**

## **Representation 5**

**From:** XXXX

**Sent:** 12 July 2023 14:33

**To:** Housing & Health Services - Community Protection  
<[Community.Protection@eastherts.gov.uk](mailto:Community.Protection@eastherts.gov.uk)>

**Subject:** [External] Notice of application No 23/0804P1 for the attention of XXXX licensing officer

Dear

I've been made aware by neighbours of the above planning application (made by SOKA Catering and Events Ltd).

We are a private unadopted road (which I've lived in for 42 years) already disturbed by noise nuisance from the Village Club, adjacent to 1-8 on the Terrace. The thought of another potential noise nuisance (with the proposed opening hours of Sunday to Thursday till 11, Friday and Saturday till midnight) is quite intolerable and I wish to protest against this application on these grounds. We have a right to quiet enjoyment in our homes.

Please keep me posted of any developments.

Yours sincerely

**XXXX**

**XXXX** Glenmire Terrace  
Stanstead Abbots  
Ware  
Herts SG12 8 XX

**XXXX**

## Proposed Conditions for Premise Licence The Lounge, Stanstead Abbots 23/0804/PL

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1. There shall be no charge for admission to the premises when it operates under the licence.
2. The primary purpose of the premises is food led so alcohol can only to be served to patrons purchasing a table meal.
3. 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 serving area. The only forms of ID that may be accepted shall be a proof of age card bearing the PASS hologram logo;
  - Passport
  - UK photo driving licence; or
  - Military Card ID
4. Children under 18 years of age must be accompanied by an appropriate adult.
5. A written record of all refused on sales shall be kept on the premises. 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. The record should include persons that have been refused, date, time and the address if applicable.
6. 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.
7. The PLH and DPS to ensure that all management and staff are fully trained and briefed on the four licensing objectives and “Challenge 25”. This will need to be documented in such a way it can be given to an officer upon request. Every 6 months these 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. An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature and be available for inspection at all reasonable times by an authorised officer of relevant responsible authority, it should record the following details:-
  - Time and date and nature of the incident,
  - People involved
  - Action taken
  - Details of the person responsible for the management of the premises at the time of the incident.
  
9. A digital closed circuit television (CCTV) system to be installed internally ensuring the following:-
  - All entry and exit points must be covered to enable frontal identification of every person entering the premises in any light condition
  - The CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers remain on the premises.
  - 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.
  - 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 office recent data or footage with the absolute minimum of delay when requested.
  
10. The PLH/DPS will ensure that a soft closure procedure is followed at the end of the evening, 30 mins before the time the premises are due to close, this must include lowering any music, informing people of the approaching closing time, not selling excessive amounts of drinks to people within this time period, encourage sensible drinking and ensuring people have time to finish the drinks they have prior to closure.
  
11. A4 size white notices in size 50 black Arial stating “Please respect our neighbours and leave the area quietly” need to be displayed at all entry/exits points and in the premises car park.
  
12. Telephone calls for taxis shall be made for customers without charge on request; patrons awaiting collection shall be encouraged to wait inside the premises.
  
13. No open vessels to be taken outside the premises after 22:00 hours.
  
14. No more than six (6) people to use the outside area for smoking at any one time after 22:00 hours.
  
15. There shall be one designated outside areas as outlined in the premise plan.

16. The total capacity for the outside area is 50 people at any one time.

