

**LICENSING OF ALCOHOL AND GAMBLING  
SUB-COMMITTEE**

**MONDAY 30 JULY 2012 AT 14.30 PM**

**COUNCIL CHAMBER, CIVIC CENTRE, HEMEL HEMPSTEAD**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillors Lawson (Chairman), G Sutton and Taylor

For further information, please contact Pauline Bowles, Members Support Officer on Tel: 01442 228221, or Email: [Pauline.bowles@dacorum.gov.uk](mailto:Pauline.bowles@dacorum.gov.uk) Information about the Council can be found on our website: [www.dacorum.gov.uk](http://www.dacorum.gov.uk)

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Hertfordshire		
HP3 9HS		
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**1. INTRODUCTIONS**

**2. MINUTES**

To confirm the minutes of the meeting held on 28 March 2012.

**3. APOLOGIES FOR ABSENCE**

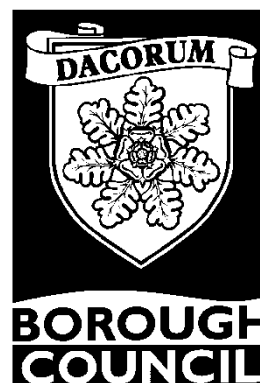
To receive any apologies for absence.

**4. DECLARATIONS OF INTEREST**

To receive any declarations of interest.

## AGENDA ITEM: 5

### SUMMARY



<b>Report for:</b>	<b>Licensing of Alcohol and Gambling Sub-Committee</b>
<b>Date of meeting:</b>	<b>30 July 2012</b>
<b>PART:</b>	1
If Part II, reason:	

<b>Title of report:</b>	<b>Premises licence / Club premises certificate applications</b>
Contact:	Ross Hill, Licensing Team Leader, Legal Governance
Purpose of report:	This report sets out details of applications in respect of premises licences or club premises certificates, which require consideration and determination by the Sub-Committee in accordance with the adopted scheme of delegation.
Recommendations	That the Sub-Committee consider the contents of the report, and representations made by any parties to the hearing, and determine the applications in accordance with the options set out below.
Corporate objectives:	<p>Safe and Clean Environment</p> <ul style="list-style-type: none"> <li>• Applications are required to be considered with regard to the promotion of four licensing objectives, comprising the prevention of crime and disorder, public safety, prevention of public nuisance, and protection of children from harm.</li> </ul> <p>Dacorum Delivers</p> <ul style="list-style-type: none"> <li>• Consideration of applications for premises licences and club premises certificates is a statutory function, with a risk of judicial proceedings and reputational damage should the authority fail to properly exercise its functions.</li> </ul>
Implications:	<p><u>Financial</u> None</p> <p><u>Value for Money</u> None</p>

Risk Implications	None
Equalities Implications	None
Health And Safety Implications	None
Consultees:	Consultation requirements are prescribed by legislation, and differ depending upon the type of application. Details of representations made by consultees are set out below.
Background papers:	Licensing Act 2003, and associated regulations Dacorum Borough Council's Statement of Licensing Policy Guidance to Licensing Authorities under section 182 of the Licensing Act 2003 (Home Office, April 2012)
Glossary of acronyms and any other abbreviations used in this report:	

## 1. Background

- 1.1. The supply of alcohol, provision of regulated entertainment, provision of facilities for regulated entertainment and sale of late night refreshment are licensable activities under the Licensing Act 2003. Authorisation from the Council, in its role as the licensing authority, is required in order to carry on any of these activities at premises within the borough.
- 1.2. The Act provides several forms of authorisation for different scenarios. Persons or organisations wishing to carry on activities at premises on a regular basis, or at larger one-off events, will require a premises licence to authorise those activities. Members' clubs, satisfying a number of statutory criteria, may alternatively hold a club premises certificate.
- 1.3. Under the scheme of delegation adopted by the Council, the Licensing of Alcohol & Gambling Sub-Committee ("the Sub-Committee") is responsible for the exercise of many of the functions of the licensing authority, including determination of applications where representations have been received.

## 2. Applications

- 2.1. The application(s) detailed in part 5 of this report has been made to the licensing authority and requires consideration and determination by the Sub-Committee.
- 2.2. Notice of application was given by the applicant in each case, through service of a copy of the application on specified 'responsible authorities' (this function is fulfilled by officers where the application was made electronically). The applicant was also required to give public notice of the application, by way of publication of details in a local newspaper, and by displaying a statutory notice at or near the premises. Failure to comply with these requirements

would render an application invalid. Officers have undertaken checks to ensure that these requirements were satisfied.

- 2.3. The applicants and persons making representations have been given notice of the hearing in accordance with statutory requirements.

### **3. General principles to be followed when determining applications**

- 3.1. When considering applications, the Sub-Committee is required to carry out its functions with a view promoting the licensing objectives, which are:

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

- 3.2. The Sub-Committee must also have regard to the Council's Statement of Licensing Policy, and to the statutory guidance issued by the Home Office under section 182 of the Act. Attention is drawn to specific, relevant provisions from these documents, with the details of the applications in the Appendices.
- 3.3. The Sub-Committee must ensure that all licensing decisions have a direct relationship to the promotion of one or more of the licensing objectives. Every application should be considered on its merits, and there must not be a 'blanket policy' to the extent that it is applied so rigidly that an exercise of discretion in each individual case is precluded. Applications must be considered with regard to the principles of fair process and the Human Rights Act.
- 3.4. The Statement of Licensing Policy makes clear to applicants and persons who have made representations the considerations that will be taken into account when determining applications. It is also intended to guide the Sub-Committee when considering licensing applications; however, the Sub-Committee may depart from either the Statement of Licensing Policy or the statutory guidance where the circumstances of the application justify it and if there are good reasons for doing so. Full reasons must be given and Sub-Committees should be aware that such departures could give rise to an appeal or judicial review.
- 3.5. The provisions of chapter 10 of the statutory guidance highlight that only precise, necessary and proportionate conditions, which promote one or more of the licensing objectives, should be attached to the licence or certificate. The Sub-Committee should only impose such conditions as are appropriate to promote the licensing objectives arising out of the consideration of the representations received, and should avoid straying into undisputed areas. Conditions duplicating other statutory provisions are not considered to be appropriate.
- 3.6. It is considered inappropriate for officers involved in the administration of applications to make recommendations. However officers from the Responsible Authorities may request conditions be imposed on a licence and make recommendations with regard to the licensing objectives.

- 3.7. Parties to a hearing, including the applicant and persons who made relevant representations, may have rights of appeal against any decision made by the Sub-Committee, dependent upon the nature of the decision. Appeals may be instituted by way of written notice to a Magistrates Court, within 21 days of being notified of the decision.

#### **4. Options available to the Sub-Committee**

- 4.1. When determining an application for the grant of a premises licence (under section 17 of the 2003 Act), the Sub-Committee must, having regard to relevant representations made in respect of that application, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- (a) grant the licence subject to any applicable mandatory conditions, and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives;
  - (b) exclude from the scope of the licence any of the licensable activities to which the application relates;
  - (c) refuse to specify a person in the licence as the premises supervisor;
  - (d) reject the application.
- 4.2. When determining an application for a provisional statement (under section 29), the Sub-Committee must, on the basis of the relevant representations made in respect of that application and the application itself, take such of the steps set out at paragraph 4.1 as it considers appropriate for the promotion of the licensing objectives, if it had to decide whether to grant a premises licence in the same terms.
- 4.3. While considering an application for the variation of an existing licence, only the proposed variation(s) may be considered. No changes can be made to a licence or the conditions attached unless they are (part of) the subject of the variation application.
- 4.4. When determining an application for the variation of a premises licence (under section 34), the Sub-Committee must, having regard to relevant representations made in respect of that application, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- (a) modify the conditions of the licence (by way of alteration, omission or addition);
  - (b) reject the whole or part of the application.
- If neither of these steps are to be taken the application shall be granted.
- 4.5. When determining an application for the variation of a premises licence to specify an individual as designated premises supervisor (under section 37), or for transfer of a premises licence (under section 42), the Sub-Committee must, having regard to the police objection notice, reject the application if it considers it appropriate for the promotion of the licensing objectives to do so, or grant the application otherwise.
- 4.6. When determining an application for the review of a premises licence (under section 51), a summary review of a premises licence (under section 53A), or a

review of a premises licence following a closure order (under section 167), the Sub-Committee must, having regard to the application and any relevant representations made in respect of that application, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- (a) take no action;
- (b) modify the conditions of the licence (by way of alteration, omission or addition);
- (c) exclude a licensable activity from the scope of the licence;
- (d) remove the designated premises supervisor;
- (e) suspend the licence for a period not exceeding three months;
- (f) revoke the licence.

4.7. When determining an application for the grant of a club premises certificate (under section 71), the Sub-Committee must, having regard to relevant representations made in respect of that application, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- (a) grant the certificate subject to any applicable mandatory conditions, and conditions consistent with the club operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives;
- (b) exclude from the scope of the certificate any of the qualifying club activities to which the application relates;
- (c) reject the application.

4.8. When determining an application for the variation of a club premises certificate (under section 84), the Sub-Committee must, having regard to relevant representations made in respect of that application, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- (a) modify the conditions of the certificate (by way of alteration, omission or addition);
- (b) reject the whole or part of the application.

If neither of these steps are to be taken the application shall be granted.

4.9. When determining an application for the review of a club premises certificate (under section 87), the Sub-Committee must, having regard to the application and any relevant representations made in respect of that application, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- (a) take no action;
- (b) modify the conditions of the certificate (by way of alteration, omission or addition);
- (c) exclude a qualifying club activity from the scope of the certificate;
- (d) suspend the certificate for a period not exceeding three months;
- (e) withdraw the certificate.



## 5. Details of application(s)

- 5.1. The following applications require consideration and determination by the Sub-Committee. Further details on each application are contained in the indicated appendix:

Appendix	Premises name / address	Type of application
A	Harry's Grill and Kebabs 121 Lawn Lane, Hemel Hempstead, Hertfordshire, HP3 9HS	Grant of a premises licence (section 17)

### APPENDIX A

**Applicants name** Mr Imtiaz Hussain Shah

**Name and address of premises** Harry's Grill and Kebabs  
121 Lawn Lane, Hemel Hempstead,  
Hertfordshire, HP3 9HS

**Ward** Bennetts End

#### 1. Current Licence(s)

- 1.1 The premises is not currently subject to authorisation under the Licensing Act 2003.

#### 2. Application

- 2.1 An application has been made for the grant of a new premises licence, under section 17 of the Licensing Act 2003.
- 2.2 The original application requested the provision of late night refreshment between the hours of 23:00 and 01:00 Monday to Friday, and 23:00 to 02:00, Saturdays, Sundays and Bank Holidays. The original application is reproduced at Annex A.
- 2.3 Following discussions with the Police, the hours requested in the application were amended to 23:00 hours to midnight seven days a week. The amendment letter and confirmation from the Police that they would not be making representations are produced at Annexes B 1 and B 2, respectively.
- 2.4 A plan of the premises and map of the area are produced at Annexes C 1 and C 2.

#### 3. Details of Representation(s)

- 3.1 A representation in the form of a petition has been received from a number of persons living in the vicinity of the premises. The lead signatory has been advised in writing of the amendment referred to above. The letter of objection and petition is set out at Annex D.
- 3.2 The following responses were received from responsible authority officers in

respect of this application:

Fire Officer: No relevant representations.

Police: As per paragraph 2.3

Environmental Health (Pollution): No relevant representations

Environmental Health (Health and Safety): No relevant representations

Planning: Comments in respect of an existing planning condition on the premises. These are set out for information only at Annex E

#### **4. Observations**

- 4.1 Relevant extracts from the Statement of Licensing Policy and the statutory guidance are set out at Annex F.

Received  
6/6/12

PUBLIC PROTECTION	
H. P. P.	
Application for a premises licence to be granted 25 MAY 2012 under the Licensing Act 2003	
EHM (F&S)	EHM (F&S)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/W  
e

(Insert name(s) of applicant) Imtiaz Hussain Shah

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
HARRY'S Grill AND KEBABS 121 Lawn Lane, Hemel Hempstead Hert	
Post town	HP3 9HS Hemel Hempstead
Post code	HP3 9HS
Telephone number at premises (if any)	NONE
Non-domestic rateable value of premises	£ 5600.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as  
Please tick yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

<input checked="" type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
HUSSAIN SHAM			Imtiaz		
I am 18 years old or over <input type="checkbox"/> Please tick yes					
Current postal address if different from premises address		59 Middleway Way.			
Post Town		WATFORD		Postcode	
				WD24 6HT	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over <input type="checkbox"/> Please tick yes					
Current postal address if different from premises address					

Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

Month      Day  
Year

When do you want the premises licence to start?

01/06/2012.

Month \_\_\_\_\_ Day \_\_\_\_\_  
Year \_\_\_\_\_

If you wish the licence to be valid only for a limited period, when do you want it to end?

N/A

Please give a general description of the premises (please read guidance note 1)

Fast food → Grilled Food & Soft drink only will be sold at premises. No Alcohol will be sold.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick yes

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

**Provision of entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)  
(if ticking yes, fill in box K)

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Supply of alcohol** (if ticking yes, fill in box M)

**In all cases complete boxes N, O and P**

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	1 AM	<p>Please give further details here (please read guidance note 3)</p> <p>We would like to extend our opening hours on weekdays weekend &amp; Bank holidays.</p> <p>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</p> <p>N/A</p> <p>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)</p> <p>Bank holidays. 9 AM - 2 AM</p>	Both	<input type="checkbox"/>
Tue	09:00	1 AM			
Wed	09:00	1 AM			
Thur	09:00	1 AM			
Fri	09:00	1 AM			
Sat	09:00	2 AM			
Sun	<	2 AM			
Bank Holiday		2 AM			



The SHOP is Equiped with CCTU Camera.

**b) The prevention of crime and disorder**

CCTV Equipment has been installed at the premises in consultation with the Police to be working at all times when Premises is trading. All Footages will be stored for 30 days and made available to police in the interest to prevent crime & disorder

**c) Public safety**

ONCE the ~~shop~~ Shop is fully seated, we will only allow take away service. Customer who are out of order will be asked to leave.

**d) The prevention of public nuisance**

Gathering outside the shop will not be permitted.

**e) The protection of children from harm**

CCTV Cameras.

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and

Please tick yes

- others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**Part 4 – Signatures** (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	<i>[Handwritten Signature]</i>
Date	23/05/2012
Capacity	MANAGER / Proprietor

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

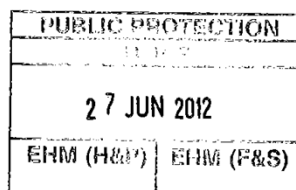
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

**Notes for Guidance**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.



26<sup>th</sup> June 2012

To Whom this may concern,

**Re: 121 Lawn Lane, Hemel Hempstead, HP 9HS Late Night Licence Application**

I am writing in regards to the late night licence application for the premise above. We have now amended our opening time to Sunday to Thursdays 09.00 – 12.00 and Friday to Saturdays including Bank holidays from 09.00 – 12.00.

Please do keep this for your records. If you have any enquiries please do not hesitate to contact me on 01442211777 or email me at [kj@silver-consultants.co.uk](mailto:kj@silver-consultants.co.uk)

Many thanks,

Kj  
Assistant Manager



HERTFORDSHIRE  
CONSTABULARY

27<sup>th</sup> June 2012

Direct Line: 01442 271601

E.Mail: [Deborah.latto@herts.pnn.police.uk](mailto:Deborah.latto@herts.pnn.police.uk)

Licensing Act 2003 Premises Licence Application:

Harry's Grill and Kebabs, 121 Lawn Lane, Hemel Hempstead, HP3 9HS

Police do not wish to make representations in respect of the above application subject to the proposed amendments to the times of operation to 09.00 – 24.00 every night.

Yours sincerely

Deborah Latto  
Assistant Investigator  
Community Safety Unit  
Hemel Hempstead Police Station

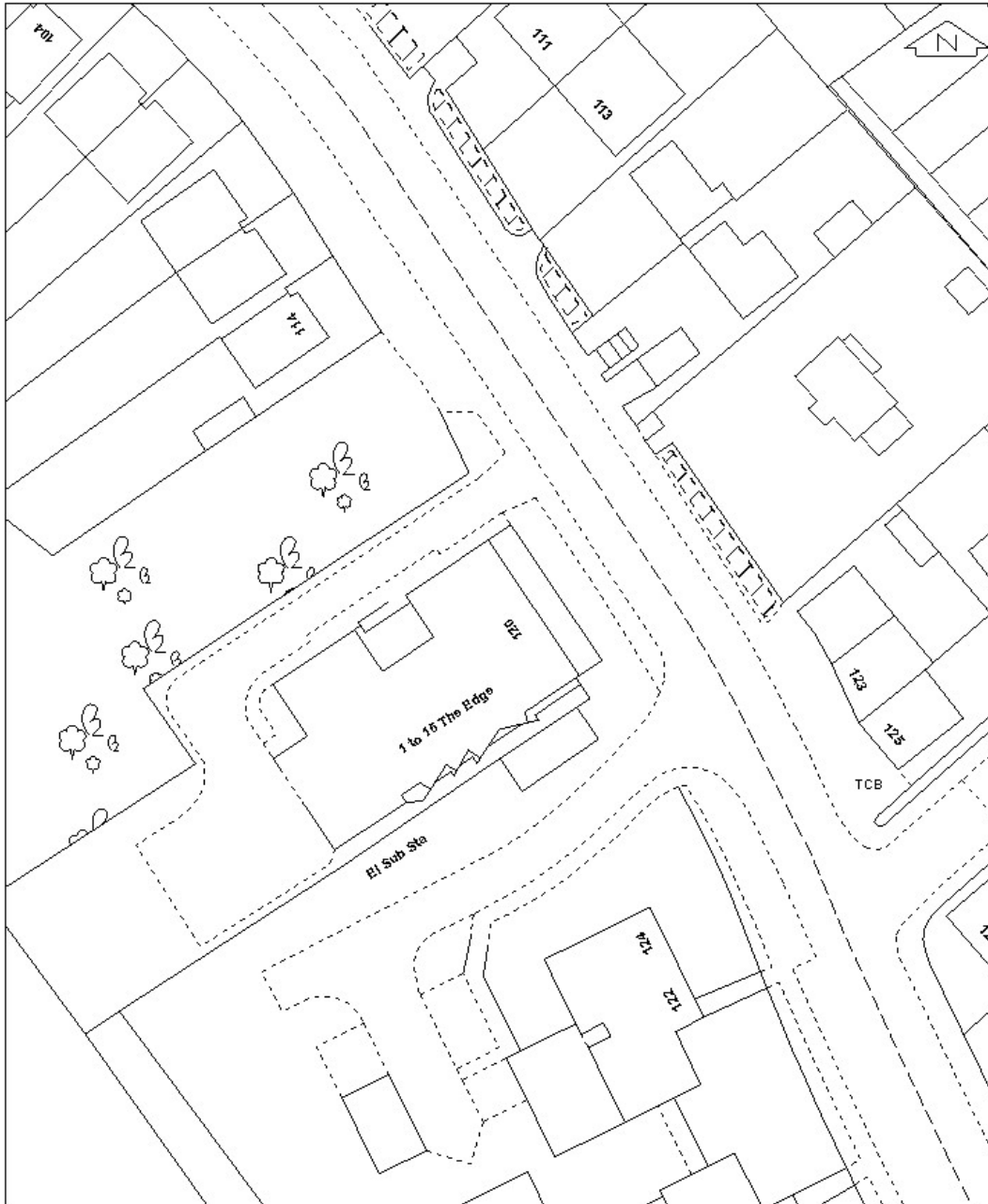
Hemel Hempstead Police Station, Combe Street, Hemel Hempstead, Herts, HP1 1HL  
Tel: 01442 271601 Fax: 01442 271604



## Dacorum Borough

Public Protection

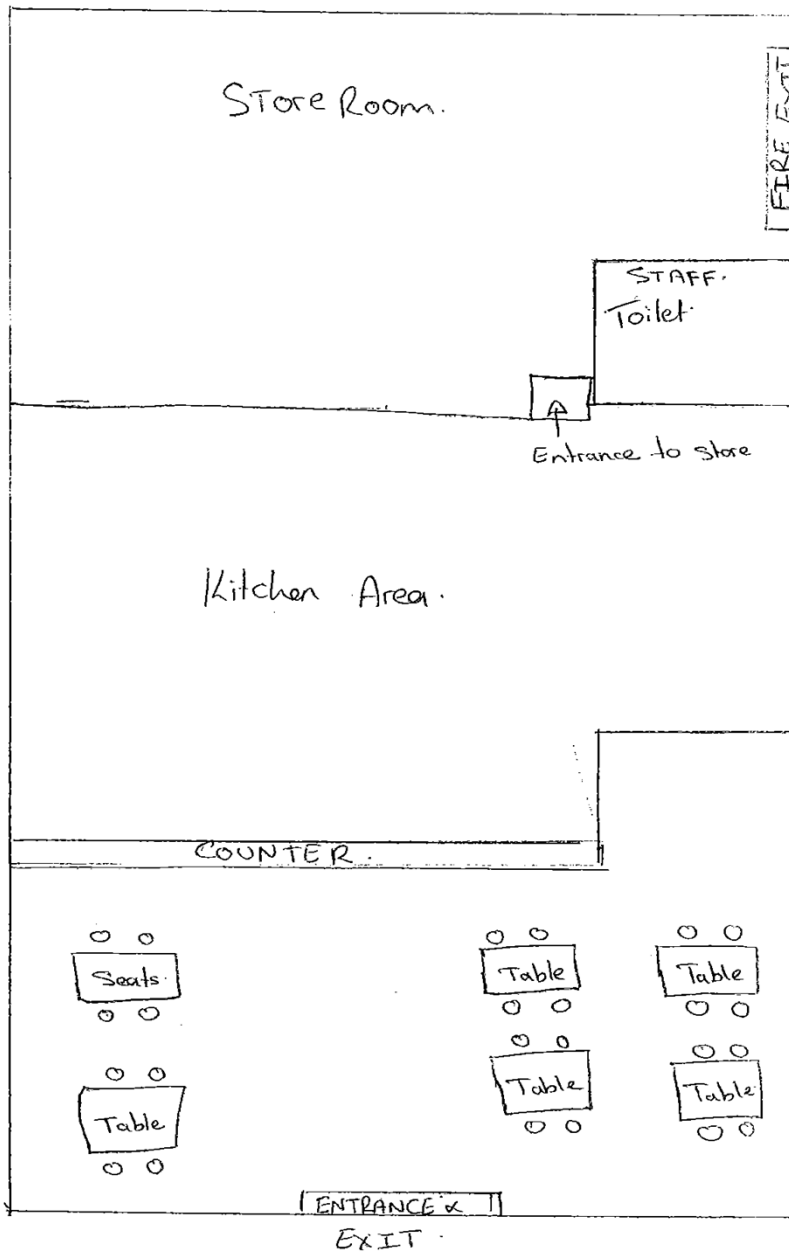
Civic Centre, Marlowes Hemel Hempstead, Herts, HP1 1HH



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Map Title

Scale: 1:500  
Date: 13/07/2012  
OS Tile: TL0505NE



PETITION TO STOP THE CONSTRUCTION OF AN ALL DAY / LATE NIGHT FAST FOOD OUTLET  
IN LAWN LANE, HEMEL HEMPSTEAD

DATED: 28<sup>th</sup> JUNE 2012

PETITION WRITTEN BY: [REDACTED], [REDACTED] HEMEL HEMPSTEAD

CONTACT: [REDACTED]

PETITION BACKGROUND:

Lawn Lane, Hemel Hempstead already has several cafes and takeaways along bottom of the street near to the 'Magic Roundabout'. The position of these existing food outlets does not have ample parking and thus vehicles are often obstructing the pedestrian walk way. In addition to this issue, and more importantly, the area becomes very rowdy at night as the outlets are open until the early hours of the morning, attracting unwanted disorderly behaviour from people who are under the influence of alcohol or alike.

The plan another fastfood/takeway outlet towards the top end of Lawn Lane, replacing what was previously Chillies Curry House, is outrageous for the following reasons:

- 1) The location is a quieter, more residential area of the road...thus, the opening of such a fast food outlet will be disruptive to the area;
- 2) There are families with children living in many of the houses and apartment blocks that are next to the intended location for the food outlet (note in particular 'The Edge' apartment block directly opposite. This building has young children and new born babies living on several floors including both the apartments located on the ground level directly opposite the shop. The noise and disruption that will occur during the shops hours of late night operation will directly affect these families. They will also be at risk of bottles being thrown through their front windows /doors and rubbish thrown onto their properties. The families are very concerned for the wellbeing and safety of themselves and their children).
- 3) There is no space for customers to park. People will end up parking on pathways and around the bus stop which is outside the premises. This will be an obstruction for pedestrians, especially the elderly and people with prams, and will thus increase the potential risk of accidents.
- 4) The food outlet states that it will be open for custom until 12am some days and 2am other days – This will:
  - a. Cause endless disruption in the area
  - b. Attract unwanted behaviour in the area
  - c. The noise levels will be outrageous in the early hours of the morning (waking up all residents and scaring the young children)
  - d. There will be damage to residential homes
  - e. There will be unwanted mess
  - f. Families will be left feeling very anxious

As mentioned, the shop was previously called Chillies Curry House. This was an Indian takeaway/delivery shop which opened at 6pm and closed at 11pm at the latest. The hours of operation were acceptable, and there was rarely any trouble. The parking for customers was always an issue, however, luckily not more than about two cars would be at the outlet at any one time. This will not be the case for a fast food shop serving all hours.

PETITION:

We, the undersigned, are asking the Decorum County Council to stop the construction of a late night fast food outlet on Lawn Lane, opposite 'The Edge' block of apartments proceeding.

SIGNED:

NAME	ADDRESS	SIGNATURE
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]



**From:** Joan Reid  
**Sent:** 06 June 2012 15:06  
**To:** Denise Wills  
**Subject:** RE: Licensing Act 2003 New Premises Application, 121 Lawn Lane, Hemel Hempstead

Hi Denise,

I understand that planning permission was granted for a change of use to A3 for this property in 1996 (/01157/96/FUL). I don't see any more recent history. A planning condition was imposed at the time restricting the hours of opening between 12.00 am and 11.00 pm on Mondays to Saturdays and between 12.00 am and 22.30 am on Sundays and Public Holidays and the units at Nos. 123 and 125 Lawn Lane shall not be open to customers after 5 pm on any day. An application will be required to vary this condition to allow for later opening. Obviously, there would be no guarantee that a variation would be granted.

Please let me know if the applicant requires further information.

Kind regards

Joan Reid

Joan Reid | Planning Officer

Development Management | Planning & Regeneration | Dacorum Borough Council |  
Civic Centre | Marlowes | Hemel Hempstead | HP1 1HH

T: 01442 228659 | E: [joan.reid@dacorum.gov.uk](mailto:joan.reid@dacorum.gov.uk)

## LOCAL POLICY CONSIDERATIONS

**It is considered that the following policies have a bearing upon the application:**

The Council has a duty under the Act to carry out its functions with a view to promoting the 4 licensing objectives, as follows: -

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

1.5 Nothing in this Statement of Licensing Policy prevents applications being considered on their own merits, nor will it undermine the right of any person applying for a variety of permissions under the Act.

1.7 In addressing these matters the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

3.2 In carrying out its licensing functions, the Licensing Authority must also have regard to its policy statement, and any statutory guidance under the Act, it is also bound by the Human Rights Act 1998. The Licensing Authority must also fulfil its obligations under section 17 of the Crime and Disorder Act 1998 as follows: "Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area".

3.3 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 its neighbouring authorities, the police, local businesses and local people towards the promotion of the licensing objectives as outlined.

3.4 The Licensing Authority expects applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of local communities. The operating schedule should contain sufficient information to enable any Responsible Authority or Interested Party to assess whether the steps taken to promote the licensing objectives are satisfactory.

### **10. Licence Conditions**

6.2 Licensing hours should not inhibit the development of a thriving and safe evening and night time economy. This is important for investment, local employment, tourism and local services associated with the night time economy. Providing consumers with greater choice and flexibility is an

important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the interests of local residents.

6.3 The Licensing Authority expects that issues relating to licensing hours will be addressed by the applicant in the operating schedule.

6.6 The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. However, when issuing a licence, stricter conditions are likely to be imposed with regard to noise control in the case of premises that are situated in largely residential areas.

10.3 Where appropriate the Licensing Authority will attach conditions from the model pool of conditions issued by the Home Office depending on the circumstances of each individual case.

11.2 The granting by the Licensing of Alcohol and Gambling Sub Committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control where appropriate.

11.3 There are also circumstances when, as a condition of planning permission, a terminal hour has been set for the use of the premises for commercial purposes. Where these hours are different from the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

11.4 The planning and building control and licensing regimes of the Licensing Authority will be properly separated to avoid duplication and inefficiency. Normally applications for premises licences for permanent commercial premises will be from businesses with planning consent for the premises concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the Local Planning Authority.

11.5 The Council as Local Planning Authority is a Responsible Authority and can make representations on applications. It can, however, only make representations relating to the licensing objectives.

### **Administration, Exercise and Delegation of Functions**

19.3 Applications where there are relevant representations will be dealt with by a Sub-Committee of the Licensing Authority, as will any application for review of a licence.

19.4 The Licensing Authority will expect individual applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. Applicants should make themselves aware of this Policy and in particular the issues that will need to be addressed in formulating the operating schedule.

## **NATIONAL GUIDANCE**

### **Each application on its own merits**

1.16 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy where, for example, its effect on cumulative impact is relevant. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

### **Avoiding duplication of other legal requirements**

1.17 The licensing authority should only impose conditions on a premises licence or club premises certificate which are appropriate and proportionate for the promotion of the licensing objectives. If other existing law already places certain statutory responsibilities on an employer at or operator of a premises, it cannot be appropriate to impose the same or similar duties on the premises licence holder, or club. It is only where additional and supplementary measures are appropriate to promote the licensing objectives that there will be a requirement for appropriate, proportionate conditions to be attached.

### **Public Nuisance**

2.33 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.

2.34 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.

### **Late Night Refreshment**

3.13 Schedule 2 provides a definition of what constitutes the provision of late night refreshment. It involves only the supply of 'hot food and hot drink'; Shops, stores and supermarkets selling cold food and cold drink that is immediately consumable from 11.00pm are not licensable as providing late night refreshment. The 2003 Act affects premises such as night cafés and take away food outlets where people may gather at any time from 11.00pm and until 5.00am. In this case, supply takes place when the hot food or hot drink is given to the customer and not when payment is made. For example, supply takes

place when a table meal is served in a restaurant or when a take-away is handed to a customer over the counter.

## **Determining Applications**

### **Where representations are made**

9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant, the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious. Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

9.33 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.

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

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- Section 182 Guidance issued by the Home Office
- its own statement of licensing policy.

9.35 The licensing authority should give its decision within 5 working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety.

### **Imposed Conditions**

10.12 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

## **6. LICENSING OF ALCOHOL AND GAMBLING SUB-COMMITTEE PROCEDURE**

### **Introduction**

The four licensing objectives, as established by the Licensing Act 2003, are:

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

Each application that comes before the Sub-Committee will be treated on its own merits, and this Licensing Authority will take its decision based upon:

- the merits of the application;
- the promotion of the four licensing objectives;
- the policy of the Licensing Authority, a copy of which can be obtained from the Council's Licensing Officer;
- the guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State for Culture, Media and Sport in July 2004, as amended in July 2006 and as further amended in June 2007.

### **Procedure**

The procedure of the Sub-Committee will be as follows:

1. The Chairman will open the meeting by:
  - (a) Introducing the Members of the Sub-Committee, (at the same time indicating any change in membership), and the Officers present, to the parties and any other person in attendance, including any representative of the press;
  - (b) stating the nature of the matter to be considered, (including a reference to the name of the premises or place concerned) and
  - (c) explaining the procedure to be followed.
2. The Chairman will ask those present to introduce themselves and:
  - (a) if any party, without prior notice, fails to attend or to be represented, the Sub-Committee will consider whether or not it is necessary in the public interest to adjourn the hearing to a specified date;
  - (b) if any party is unaccompanied, the Chairman will clarify whether that party understood it was permissible to have a representative;
  - (c) the Chairman will establish whether it is proposed anyone speak as a spokesperson;
  - (d) the Sub-Committee will consider:
    - (i) any properly made request by a party for permission for any other person, (not being a representative), to appear and
    - (ii) any request to provide late documentary or other information and will only take the same into account if the other parties consent.
3. The Chairman will ask whether any Member has an interest to declare and whether any Member has visited the premises or place the subject of the application.

4. The Chairman will establish whether all Members of the Sub-Committee have read the papers before them.
5. The Chairman will ask the Officers present to confirm whether there has been compliance with all relevant requirements and to summarise any relevant information, as necessary.
6. Members may ask any relevant question of any Officer.
7. The Chairman will ask each person who is to speak at the meeting for an indication of how much time he or she reasonably estimates is required to make relevant points concisely, and without undue repetition, and will consider a maximum period of time to be applied equally in the case of all the parties.
8. The Sub-Committee will hear from the Applicant (and any proposed Premises Supervisor, if applicable), any Responsible Authority and any Interested Party (in that order, except in the case of a Review where the order will be: the Interested Party or Responsible Authority which has made the application for Review, the Licence-Holder and any Interested Party and/or Responsible Authority which has not made the application for Review). Subject to 2 (d)(ii) above, those persons speaking may only raise points which have been made in writing prior to the meeting and/or give further information, by way of clarification of a point, if this has been sought by the Authority in the notice given by it prior to the hearing.
9. In every case at a suitable point, Members of the Sub-Committee may ask relevant questions of each party.
10. The Sub-Committee will consider any party's request to question/cross-examine another party and will not permit cross-examination unless it is of the view that it is required in order for Members to consider the representations, application or notice as the case may be.
11. The Chairman will invite any Interested Party, any Responsible Authority and the Applicant (in that order, except in the case of a Review where the order will be: any Interested Party and/or any Responsible Authority which has not made the application for Review, the Licence-Holder and the Interested Party or Responsible Authority which has made the application for Review), or those representing them, to summarise their points if they wish. At this stage, the Applicant will be afforded the opportunity to consider whether or not to propose amendments to the operating schedule with a view to addressing relevant issues and any such amendment would then fall to be discussed.
12. The Chairman will seek confirmation from all parties that they are satisfied they have made all the pertinent points which they wished to make.
13. Members of the Sub-Committee will discuss what has been said and written on the matter before them and make their decision.
14. The Chairman will confirm the decision, the reasons for the decision, and any condition placed upon the licence (if granted) and the licensing objective to which each condition relates.

Please Note

- All properly made applications, notices and representations received from absent parties will be considered.
- An Applicant has a right to appeal, details of which can be obtained via the Licensing Officer.

- The Authority has the right to require any person who, in its opinion, is behaving in a disruptive manner, to leave the hearing and may preclude, or impose conditions in relation to, that person's return.

## **7. EXCLUSION OF THE PUBLIC**

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the item in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during that item there would be disclosure to them of exempt information relating to:



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**DACORUM BOROUGH COUNCIL**

**LICENSING OF ALCOHOL AND GAMBLING SUB-COMMITTEE**

**28 MARCH 2012**

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Present –

**MEMBERS:**

Councillors Lawson (Chairman), Hearn and Taylor.

**OFFICERS:**

M Brookes	Solicitor
L Crowley	Solicitor
R Mabbitt	Licensing Enforcement Officer
L Stone	Member Support Officer
S Taylor	Senior Assistant Licensing Officer

Alison King, Environmental Health Officer attended as an observer

**Other Persons Present:**

Mr G Selfe	Licensee (Berkhamsted Sports (Cricket) Club)
Mr P Buckley	Member of Berkhamsted Sports (Cricket) Club
Mr M Adams	Interested Party

2 local residents were also in attendance

The meeting began at 2.30 pm

**1. INTRODUCTIONS**

The Chairman introduced himself, the Councillors on the Sub-Committee and the officers present. The Chairman then asked the other persons present to introduce themselves.

**2. MINUTES**

The Minutes of the meeting held on 26 January 2012 were agreed by the Members present and then signed by the Chairman

**3. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**4. DECLARATIONS OF INTERESTS**

No interests were declared. Councillors Lawson and Taylor confirmed that they knew the premises and had visited in the past but were not regulars. Councillors Lawson, Hearn and Taylor all confirmed that the premises were not in their ward.

## **5. LICENCE HEARINGS**

The application was for:

Berkhamsted Sports (Cricket) Club  
Kitcheners Field  
Castle Hill  
Berkhamsted  
Hertfordshire  
HP4 1HE

The Chairman asked if there were any additional documents to be submitted to the Sub-Committee. Mrs Taylor said that 2 submissions from local residents had been received the previous day. The Chairman asked Mr Selfe if he had any objection to these late submissions being considered. Mr Selfe confirmed that he was happy for them to be considered and also confirmed that he had copies of the late submissions. Mr Adams was provided with copies of the late submissions.

The Chairman asked the Members of the Sub-Committee if they had read the Agenda and all additional documents. Councillors Hearn and Taylor confirmed they had read the documents at hand.

The Chairman asked whether all legal obligations had been complied with. Mrs Taylor confirmed that they had.

The Chairman asked the parties for how long they wished to speak. Mr Selfe said he would like to speak for a few minutes. Mr Buckley said he had wanted to speak, but was happy for Mr Selfe to speak on his behalf. Mr Adams indicated that he would like to speak for ten minutes. This was agreed. Mr Adams added that the procedure had made it difficult for residents and that most residents had not known about the application which was why only one letter of objection had been received.

The Chairman asked Mr Selfe, the Applicant, for his statement.

Mr Selfe said that as he had not included the end times for live music in section E of the application for the three non standard times listed, he would therefore withdraw this aspect of the application. All other parts of the application relating to live music would remain. Any live music for Christmas Eve, New Year's Eve and New Year's Eve would be dealt with by a Temporary Event Notice.

Mr Selfe said that due to the inflexibility of the application process, he had thought that residents might get the wrong idea. The word 'social' had been taken out of the name of the premises as it was primarily a sports club. The club did not open to the public, but only opened for specific reasons. Over the last three months, the club had been shut on 42 evenings, and had held 38 private events of which three had included recorded music.

Mr Selfe said that the club did not want to become a nightclub and that he had always tried to maintain a good relationship with the residents of Castle Hill who had used the club on a few occasions. He said that the application had not been submitted in order to open to the public seven nights per week, but to give flexibility for events. He said there had been a recent addition to the regular events in that a singing group had started meeting for an hour on Friday mornings, the licence was needed to cover that.

Mr Selfe said the club did not want to increase what it had been doing in the last few years. There would be two large charity music events and a firework event. Mr Selfe said that the club needed to raise funds to survive. He said that one objection stated that they acknowledged the need for fundraising but loathed to see regular socialising. Mr Selfe said the club would not be doing that. He said that they tried to limit playing music and serving alcohol to midnight at private events.

Councillor Lawson referred to the music currently permitted in the licence in a marquee on the patio and asked if it was for live or recorded music. Mr Selfe said it was for recorded music, and had been a part of the existing Club Premises Certificate licence, but it had not been used since he had been at the club.

Councillor Lawson asked about soundproofing in the clubhouse. Mr Selfe said music was played at the back of the clubhouse which only had very small windows which were kept shut when music was played. He said this room faced away from the nearby residents.

Councillor Lawson asked about the advisory note suggested in the response from the Environmental Health Officer on page 34 of the agenda which stated *'The applicants must contact Environmental Health at least 14 days prior to an event taking place so that a suitably timed appointment can be arranged for an Officer from Environmental Health to visit the site to set boundary noise levels prior to an events commencement.'* Mr Selfe said the Environmental Health Officer had visited the club a month ago to carry out sound checks for the events. He said they had asked her to return on the day of the events to set the sound levels. Mr Selfe was happy with this advisory note.

The Chairman asked Mr Adams for his statement.

Mr Adams began his statement by saying that his objection was on the grounds of Public Nuisance. He asked the Sub-Committee not to take the level of objection as representation of the feeling of residents as the statutory notice had not made everyone aware. Mr Adams added that there was an active Residents' Association which had been set up 30 years previously as a result of the change of use of the land from agriculture to sports use. He said that this application should have been sent to the Residents' Association.

Mr Adams said that he was very pleased to hear what Mr Selfe had said. Three events per year would not be a problem. Mr Adams said he did not want to see the establishment regularising the permitted hours to seven nights per week. He said that he had talked to a few neighbours the previous day who had felt the same way. One neighbour had told Mr Adams that he had missed the application and therefore not raised an objection; he agreed that Mr Selfe was a reasonable man, but the previous manager had not been and this licence was for the premises not Mr Selfe.

Mr Adams said that Mr Selfe had said that he had no intention of making use of all the hours in the application. Mr Adams asked why therefore the licence had to grant those hours if they would not be needed. He said that it was a residential area and that the nearest residence was closer than the 300 yards stated in the report. He said that all residents recognised the needs to raise funds through events but, together with his wife, thought that a more reasonable finish time would be 10pm, to allow dispersal to finish by 10.30pm. Mr Adams said that dispersal was an issue as well as the event itself.

Mr Adams said that although Mr Selfe was careful and meticulous, the licence was for the premises. He added that there was no lack of other amenity in the town with the number of other licenced premises.

Mr Adams said that parking was an issue on Castle Hill, it was not a full width road and there were always people who disregarded the advice to park at the station which caused problems. Mr Adams asked that restrictions on parking for events be added.

Mrs Taylor advised that parking issues were not something that the Sub-Committee could consider as part of the licence.

Councillor Taylor said that the Sub-Committee's role was not to judge the previous manager of the club. He said that the club already had a licence and that this application sought to vary it. It would provide the facility for flexibility, the club would not be obliged to open all the times listed. Councillor Taylor added that there was no record of the club being a public nuisance. He said that he could not see how a 10pm finish would be fair to impose on the club.

Councillor Hearn asked whether it was possible to clarify the distance from the club to the nearest neighbour. Councillor Lawson said he thought it was about 300 yards, but added that there was no way to prove it at this stage.

Councillor Hearn asked Mr Adams if he had had reason to complain about the club in the recent past. Mr Adams said he had not but that he had heard that there had been problems before Mr Selfe took over.

Councillor Lawson said that the Sub-Committee could not make decisions on a 'what if' basis. If problems came about in the future, a review of the licence could be requested.

The Chairman asked all the interested parties in turn if they had anything else they wanted to add.

Mr Selfe said they had applied for seven days per week as they wanted to market the club for funerals which could be on any day of the week. He said he was unaware of any complaints since he took over apart from in the very early days where the club had a poor reputation from the previous management. He said it took a little time to lose that reputation. Mr Selfe said he accepted that it was a quiet area and that they were talking to the station in order for them to free up their car parks for events which would alleviate some of the parking issues. Mr Selfe said the club were aware of the traffic and parking issues.

Councillor Lawson asked about marshalling for major events. Mr Selfe said he had had discussions with the Chair of the Residents' Association who had concluded that for only a few events per year it was not necessary. Mr Selfe said he would be happy to hold those discussions again.

Mr Buckley said that the Berkhamsted Lions were very supportive on marshalling and they recommended no parking on Castle Hill at all.

Mr Adams said that a lot of the discussion had been beside the point. He said that the issue was the establishment of the principle of opening 365 days per year. The premises would have the facility for this and although Mr Selfe might not open 365 days per year, someone else would be able to. Mr Adams said that there must be a way to give Mr Selfe the flexibility he needed without establishing this principle.

Councillor Taylor said that this application was based on the current situation and that the Sub-Committee needed to ensure that the club was run within the four licensing objectives. There was no evidence of any issues within those objectives. Councillor Taylor said that if the club broke the terms of their licence, a review of the licence could be requested and the Sub-Committee would have the power to rescind the licence if necessary. Councillor Taylor asked if the Lions fetes were in addition to the three main events per year. Mr Buckley confirmed that they were in addition and that no alcohol was served at the fetes.

Councillor Lawson said he was content that the four licensing objectives had been covered. He said the major events were ticketed and that he was happy that the stewarding had been taken care of. With regard to the prevention of public nuisance, residents would be advised of the three major events and the Environmental Health Officer would be contacted to arrange a site visit to set the noise levels. All outside events would finish by 9pm. On that basis, Councillor Lawson said he could see no reason not to approve the licence with the additional advisory notice.

The Sub-Committee agreed and Councillor Lawson said that the licence was granted and that the Sub-Committee gave their trust that the licensee would behave in an appropriate way. If any complaints were received subsequently, they would be dealt with seriously.

**Agreed:**

The Licensing of Alcohol and Gambling Sub-Committee, having had regard to the guidance issued under Section 182 of the Licensing Act 2003 , Dacorum Borough Council's own Licensing Policy and the four Licensing Objectives of the Licensing Act 2003 and having taken into account all oral and written representations, and for the reasons indicated above, , unanimously agree to grant the premises licence as set out below.

**Hours Premises open to the public**

<b>Day</b>	<b>Proposed hours</b>
Monday	11:00 – 23:30
Tuesday	11:00 – 23:30
Wednesday	11:00 – 00:00
Thursday	11:00 – 00:30
Friday	11:00 – 01:00
Saturday	11:00 – 01:30
Sunday	11:00 – 23:30

Non standard timings:

Either:

Christmas Eve; or  
 New Year's Eve Eve (30<sup>th</sup> December);  
 or New Year's Eve :

Up to 01:30 hours

(Only one of the above will occur in any one year)

## Supply of Alcohol

For consumption on the premises.

Day	Proposed Hours
Monday	11:00 – 23:00
Tuesday	11:00 – 23:00
Wednesday	11:00 – 23:30
Thursday	11:00 – 23:30
Friday	11:00 – 00:30
Saturday	11:00 – 01:00
Sunday	11:00 – 23:00

One Sunday in June each year for sale of alcohol at opera/jazz/classical event until 22:00 hours.

One Saturday in September each year for sale of alcohol at music event until 22:00 hours.

One Saturday evening in November each year for sale of alcohol at fireworks event until 21:00 hours.

Non standard timings:

Christmas Eve, New Year's Eve Eve (30<sup>th</sup> December) and New Year's Eve, and Bank Holidays : up to 01:00 hours.

## Live Music

Both indoors and outdoors

Day	Proposed hours
Thursday	19:00 – 23:00
Friday	10:00 – 12:00 and 19:00 – 00:30
Saturday	19:00 – 01:00
Sunday	15:00 – 21:30

A singing society meet for an hour most Friday mornings (Group of approximately 17-20 persons) – music is unamplified.

One Sunday in June for outdoor Opera/Jazz/Classical music event starting early afternoon and ending at 21:00 hours.

One Saturday in September for outdoor music festival starting at 12:00 hours and ending at 21:00 hours.

Non standard timings:

None.

## Recorded Music

Both indoors and outdoors

<b>Day</b>	<b>Existing hours</b>
Thursday	19:00 – 00:00
Friday	19:00 – 00:30
Saturday	19:00 – 01:00
Sunday	19:00 – 23:00

Recorded music may take place in a temporary marquee sited on the decking and linked to the club house for a maximum of four occasions per annum. The marquee will be removed after each event.

Non standard timings:

Either:

Christmas Eve; or  
New Year's Eve Eve (30<sup>th</sup> December); or  
New Year's Eve

Until 01:00 hours

(Only one of the above will occur in any one year)

#### **Provision of facilities for dancing**

Indoors only

<b>Day</b>	<b>Existing hours</b>
Thursday	19:00 – 00:00
Friday	19:00 – 00:30
Saturday	19:00 – 01:00
Sunday	19:00 – 23:00

Non standard timings:

Either

Christmas Eve; or  
New Year's Eve Eve (30<sup>th</sup> December); or  
New Year's Eve

Until 01:00 hours

#### **The following advisory notice will be added to the licence:**

The applicants must contact Environmental Health at least 14 days prior to an event taking place so that a suitably timed appointment can be arranged for an Officer from Environmental Health to visit the site to set boundary noise levels prior to an events commencement

The meeting finished at 3.07 pm