Applicants name Mr Charles Bailey

Rhythm Party Limited

Name and address of premises 198-200 Marlowes

Hemel Hempstead

Herts HP1 1BH

Ward Hemel Hempstead Town

1. Current Licence

- 1.1 The premises is not currently subject to authorisation under the Licensing Act 2003.
- 1.2 A previous premises licence authorised regulated entertainment, late night refreshment and the supply of alcohol from 11:00 hours to 00:30 hours Sunday to Tuesday, and 11:00 hours to 02:30 hours Wednesday to Saturday. That licence was surrendered on 26th October 2007.

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, seeking authorisation for the following licensable activities, and is set out at Annex A:

Plays (indoors)

Monday to Sunday 09:00 hours until 03:00 hours.

Live music (indoors)

Monday to Sunday 09:00 hours until 03:00 hours

Recorded music (indoors)

Monday to Sunday 09:00 hours until 03:00 hours

Performance of dance (indoors)

Monday to Sunday 09:00 hours until 03:00 hours

Late night refreshment (indoors)

Monday to Sunday 23:00 hours until 03:00 hours

Supply of alcohol (for consumption on the premises)

Monday to Sunday 09:00 hours until 02:30 hours

Hours premises may open to the public

Monday to Sunday 09:00 hours until 03:00 hours

2.2 A plan of the premises and map of the area are set out at Annexes B1 and B2

3. Details of Representations

3.1 Two representations have been received, the first from the Police citing concerns in respect of the proposed operating schedule that forms part of the

- application. This representation, together with a set of suggested conditions proposed by the Police is set out at Annex C.
- 3.2 The second representation has been received from Tracy Aldridge-Jones of Dacorum's Environmental Health team, citing concerns relating to the public nuisance objective. This representation is set out at Annex D.
- 3.3 The following responses were received from responsible authority officers in respect of the application:

Police: Relevant representation, see paragraph 3.1 Environmental Health (Pollution): Relevant representation, see paragraph 3.2. Environmental Health (Health and Safety): No relevant representations. Fire Officer: No relevant representations.

4. Observations

4.1 Relevant extracts from the Council's Statement of Licensing Policy and the statutory Guidance are set out at Annex E.

Annex A Application for premises licence



Dacorum Application for a premises licence Licensing Act 2003

For help contact licensing@dacorum.gov.uk Telephone: 01442 228470 / 228860

	MILO 033134	required information
Form errors		
Some	e data entered into this form is invalid. Please r	esolve before continuing.
Section 1 of 19		
You can save the form at any t	ime 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	Under 18s Nightclub	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 be	chalf of the applicant?	Put "no" if you are applying on your own behalf or on behalf of a business you own or
C Yes 🕡 1	No	work for.
Applicant Details		
* First name	Charles	
* Family name	Bailey	
* E-mail		
Main telephone number		Include country code.
Other telephone number		
☐ Indicate here if you wo	uld prefer not to be contacted by telephone	
Are you:		
 Applying as a business 	or organisation, including as a sole trader	A sole trader is a business owned by one
C Applying as an individu	al	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 C No	
* Registration number	07673381	
* Business name	Rhythm Party Limited	If your business is registered, use its registered name.
You must enter a valid VAT	number	□3

Continued from previous page		
* VAT number		Put "none" if you are not registered for VAT.
* Legal status	Private Limited Company	
* Your position in the business	Director	
Home country	United Kingdom	The country where the headquarters of your business is located.
Registered Address		Address registered with Companies House.
* Building number or name	8 Iceni Court	
* Street	74 Parnell Road	
District	Bow	
* City or town	London	
County or administrative area		
* Postcode	E3 2RY	
* Country	United Kingdom	
	·	
Section 2 of 19		
PREMISES DETAILS		·
	ply for a premises licence under section 17 of the he premises) and I/we are making this application of the Licensing Act 2003.	
Premises Address		
Are you able to provide a post	al address, OS map reference or description of t	the premises?
Address C OS ma	p reference C Description	
Postal Address Of Premises		
Building number or name	198-200	
Street	Marlowes,	
District		
City or town	Hemel Hempstead	
County or administrative area	Hertfordshire	
Postcode	HP11BH	
Country	United Kingdom	· .
Further Details		
Telephone number		

Conti	nued from previous page	Non-domestic ra value of premise		· <u>-</u>					
								•	
55,50	0					•			
Secti	on 3 of 19								
APPL	ICATION DETAILS								
In wh	at capacity are you applyi	ng for the premise	es licence?						
	An individual or individua	als						•	
\boxtimes	A limited company				•				
	A partnership								
	An unincorporated associ	iation		٠.					
	A recognised club		٠.				·.		
	A charity						•		
	The proprietor of an educ	ational establishr	ment .						
	A health service body								
	A person who is registere 2000 (c14) in respect of a						• •	•	
	A person who is registere Social Care Act 2008 in re activity (within the mean England	spect of the carry	ing on of a re	gulated	•	, .			
	The chief officer of police	of a police force i	in England an	d Wales					
	Other (for example a state	utory corporation	1)	,					• .
Conf	firm The Following								-
	I am carrying on or propo the use of the premises fo			ch involves		•			
[.]	I am making the applicati	ion pursuant to a	statutory fund	ction					
	I am making the applicati virtue of Her Majesty's pr		function discl	harged by					
Secti	on 4 of 19								
NON	INDIVIDUAL APPLICANT	s							
parti	ide name and registered a nership or other joint vent	ure (other than a							
Non	Individual Applicant's N	ame			_				
Nam	e .	Charles Bailey							

Continued from previous page		
Details		
Registered number (where applicable)	07673381	
Description of applicant (for ex	cample partnership, company, unincorporated a	association etc)
Director		
Address		
Building number or name	8 Iceni Court	
Street	74 Parnell Road	
District	Bow	
City or town	London	
County or administrative area]
Postcode	E3 2RY	
Country	United Kingdom	
Contact Details		
E-mail		
Telephone number		
Other telephone number		
	Add another applicant	
Section 5 of 19		
OPERATING SCHEDULE		
When do you want the premises licence to start?	10 / 09 / 2013 . 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	
licensing objectives. Where yo	ises, its general situation and layout and any otl our application includes off-supplies of alcohol a oplies you must include a description of where t	and you intend to provide a place for
Our events for young people value once a week for over 18	t will mainly be used as a under 18s nightclub. I will mainly start at 19.00 and finish at 23.00 duri Bs and young people that progress thru our unc people are on the premises. All alcohol will be k	ng the weekends. We intend to have student der 18s nights. No alcohol would be served on

Continued from previous	naae					
7		eople out at	the rear of th	he building	, at the end	of the evening. The club would also cater for
birthday parties for you	ng peo	ple and othe	r people in t	he commu	ınity, looking	g for suitable venues. The rear of the club
would be used as a smoking area for public. The premises may also be used as a youth cafe during the week and a place for						
young people to partici	pate in	youth entert	ainment act	tivities. We	will possibly	y at some stage, start nights for over 18s if
of the stairs. Double do	. The pr	remises has g	round floor Joor with h	entrance, I	eading to da	ance area on 1st floor, with cloakroom at top uilding, Dj Booth in the middle and male and
						ets. There is also a small bar in the middle of
						ding between female and male toilets, which
lead to the second floor	r. There	are a numbe	r of rooms o	on the seco	nd floor, wh	nich can be used for office space.
If 5,000 or more people	are					
expected to attend the			_			
premises at any one tin state the number expec						
attend	ica to					
Section 6 of 19						
PROVISION OF PLAYS						
Will you be providing p	lays?					
(Yes		∩ No				
Standard Days And Ti	mings					
MONDAY						_ Give timings in 24 hour clock.
	Start	09:00		End	03:00	(e.g., 16:00) and only give details for the days
	Start	\equiv	•	Food		of the week when you intend the premises
٠	Start			End	<u> </u>	to be used for the activity.
TUESDAY						
	Start	09:00		End	03:00	1
	Start			. End		1
	Start			End		J .
WEDNESDAY						
	Start	09:00		End	03:00]
	Start			End		1
	Start			Liid	<u> </u>]
THURSDAY						_
	Start	09:00		End	03:00	
	Start			End]
FRIDAY						
	Ştart	09:00		End	03:00]
	Start			End]
SATURDAY	•					• •
	Start	09:00		End	03:00	1
	Start			End	1	1
	Jait	<u></u>		LIIU	L	<u></u>

				<u> </u>
Continued from previous pa	ıge			
SUNDAY				
. S	Start 09:00	End 03:00		
S	Start .	End	Ī	
Will the performance of a	play take place indoors o	or outdoors or both?	Where taking place in a b	•
Indoors	Outdoors	○ Both	structure tick as appropria include a tent.	te. Indoors may
State type of activity to be exclusively) whether or no			further details, for example	but not
Shows put on for young p does not cause high levels	eople by young people o of noise to others. The v	or adults. If music is to be a columes will stay within the	mplified, it will be controlled surrounds of the premises.	at levels, so that it
State any seasonal variation	ons for performing plays			
For example (but not excl	usively) where the activity	y will occur on additional o	days during the summer mor	iths.
		<u>-</u>		
			•	
For example (but not exclu		the activity to go on longe	r on a particular day e.g. Chri	stmas Eve.
Section 7 of 19			1. A. A. C.	
PROVISION OF FILMS				
Will you be providing film	s?			
← Yes	No			
Section 8 of 19	The Hallery of			
PROVISION OF INDOOR S	PORTING EVENTS			
Will you be providing indo	or sporting events?		•	
	(F : No		•	
Section 9 of 19	1127	Harris San		
PROVISION OF BOXING O	R WRESTLING ENTERTA	NINMENTS		
Will you be providing boxi	ing or wrestling entertain	ments?		
C Yes	No			
Section 10 of 19	, i d		The state of the s	

Continued from previous page	e			
PROVISION OF LIVE MUSI	С			
Will you be providing live n	nusic?			
• Yes	C No	•		
Standard Days And Timin	igs			
MONDAY		Give timings in 24 hour clock.		
St	art 09:00	End 03:00 (e.g., 16:00) and only give details for the days		
St	art .	of the week when you intend the premises to be used for the activity.		
TUESDAY	<u>.</u>			
St	art 09:00	End 03:00		
St	art	End		
WEDNESDAY				
	art 09:00	End 03:00		
	art	End Side Side Side Side Side Side Side Sid		
	art	End		
THURSDAY	. [00.00	- 1		
	art 09:00	End 03:00		
St	art	End		
FRIDAY				
St	art 09:00	End 03:00		
St	art	End		
SATURDAY				
Sta	art 09:00	End 03:00		
Sta	art	End		
SUNDAY		•		
Sta	art 09:00	End 03:00		
Sta	art	End		
Will the performance of live	music take place indoors or out	doors or both? Where taking place in a building or other		
Indoors	○ Outdoors ○	structure tick as appropriate. Indoors may Both 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.				
We intend to have live music bands, and singers which will perform amplified music. Some music may not be amplified. The volumes will stay within the surrounds of the premises				
State any seasonal variation	ns for the performance of live mu	ısic		

Continued from pr	evious page					•		
For example (but	not exclusiv	ely) where the	activity will oc	cur on	additional d	ays during the	e summer montl	ns.
							· .	
Non-standard tin			will be used for	the pe	rformance o	of live music a	t different times	from those listed
For example (but	not exclusiv	ely), where you	u wish the activ	ity to g	jo on longer	on a particula	ar day e.g. Christ	mas Eve.
					•			
Section 11 of 19	in in the							
PROVISION OF R								
Will you be provi	ding recorde							
(• Yes		∩ No						
Standard Days A	And Timings							
MONDA	Y					Give timing	s in 24 hour cloc	k.
	Start	09:00		End	03:00		and only give de when you inten	etails for the days
	Start			End			or the activity.	a the premises
TUESDA	Υ							
	Start	09:00		End	03:00]		
	Start			End]		
WEDNES	DAY							
	Start	09:00		End	03:00]		
	Start			End]		
THURSD	AY					•		
	Start	09:00	•	End	03:00]	,	
	Start			End				
FRIDAY						J		
TAIDA	Start	09:00		End	03:00	1		
					03.00)]		
A.=	Start	L		End				
SATURD						1 .		
		09:00		End	03:00			
	Start			. End				

Continued from previous page
SUNDAY
Start 09:00 End 03:00
Start End
Will the playing of recorded music take place indoors or outdoors or 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.
DJ,s will play recorded music, which will be amplified. The volumes will stay within the surrounds of the premises.
State any seasonal variations for playing recorded music
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 playing of recorded music 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 12 of 19
PROVISION OF PERFORMANCES OF DANCE
Will you be providing performances of dance?
© Yes C No
Standard Days And Timings
MONDAY Give timings in 24 hour clock.
Start 09:00 End 03:00 (e.g., 16:00) and only give details for the days of the week when you intend the premises
Start End to be used for the activity.
TUESDAY
Start 09:00 End 03:00
Start End
9
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<u> </u>	<u> </u>	<u> </u>	
Continued from previous	page		
WEDNESDAY			
	Start 09:00	End 03:00	
	Start	End	
THURSDAY			
IHUKSDAT	a laa aa	F. 1 00 00	
	Start 09:00	End 03:00	
	Start	End	
FRIDAY			İ
	Start 09:00	End 03:00	
	Start	End ·	
SATURDAY			
SATORDAT	Start 09:00	End 03:00	
			
	Start	End	
SUNDAY			
	Start 09:00	End 03:00	
	Start	End	
Will the performance o	f dance take place indoors or outdoo	ors or both? Where taking place in a building or o	
Indoors	C Outdoors C	structure tick as appropriate. Indoors Both include a tent.	may
		I, and give relevant further details, for example (but not	-
	not music will be amplified or unan		
Dance performances ar	nd shows put on by Young People a	nd adults.	
			1
	ations for the performance of dance		
For example (but not e	xclusively) where the activity will oc	cur on additional days during the summer months.	
·			
		<u> </u>	
•			
Non-standard timings. the column on the left,		r the performance of dance at different times from those li	sted in
For example (but not e	xclusively), where you wish the activ	vity to go on longer on a particular day e.g. Christmas Eve.	
		· · ·	.]
			.

Continued from previous	s page		
Section 13 of 19		port of the second of the seco	alta de la compansión d
PROVISION OF ANYT	HING OF A SIMILAR DESC	CRIPTION TO LIVE MUSIC, RECORDED MUSIC	OR PERFORMANCES OF
Will you be providing performances of danc	anything similar to live mi e?	usic, recorded music or	
	No	•	
Section 14 of 19	1 1 1 N 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
LATE NIGHT REFRESH	IMENT	The second secon	
Will you be providing	late night refreshment?		
Yes	C No		
Standard Days And T	imings		
MONDAY			
	Start 09:00	Give timings in 2 End 03:00 (e.g., 16:00) and	only give details for the days
		of the week whe	n you intend the premises
	Start	End to be used for the	e activity.
TUESDAY			
	Start 09:00	End 03:00	
	Start	End	
WEDNESDAY			
	Start 09:00	End 03:00	
	Start	End	
	Start	Liid	
THURSDAY			
	Start 09:00	End 03:00	
	Start	End	
FRIDAY		•	
	Start 09:00	End 03:00]
	Start	End End	
. CATURDAY	Start		
SATURDAY			
	Start 09:00	End 03:00	
	Start	End	
SUNDAY			•
	Start 09:00	End 03:00	
	Start	End	
LARGE ALTERNATION OF THE STATE		Where taking al	ace in a building or other
Will the provision of laboth?	ite night refreshment take	structure tick as	appropriate. Indoors may
Indoors	Outdoors	include a tent.	

Continued from previous	s page			
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.				
Supply of Hot food and	snacks			
,				
<u> </u>				
State any seasonal varia	ations			
For example (but not e	xclusively) where the activ	vity will occur on additional days during the summer months.		
Non-standard timings. those listed in the colu	Where the premises will b mn on the left, list below	e used for the supply of late night refreshments at different times from		
For example (but not ex	xclusively), where you wis	h the activity to go on longer on a particular day e.g. Christmas Eve.		
	-			
	<u> </u>			
Section 15 of 19 SUPPLY OF ALCOHOL				
Will you be selling or su	ipplying alcohol?			
• Yes	C No			
Standard Days And Ti				
MONDAY				
	Start 09:00	Give timings in 24 hour clock. End 02:30 (e.g., 16:00) and only give details for the days		
	Start	of the week when you intend the premises to be used for the activity.		
TUESDAY				
	Start 09:00	End 02:30		
	Start	End		
WEDNESDAY				
	Start 09:00	End 02:30		
	Start	End		
THURSDAY				
	Start 09:00	End 02:30		
	Start	End		
<u>_</u>				

Continued from previous page	
FRIDAY	
Start 09:00	End 02:30
Start	End
SATURDAY	
· ·	
Start 09:00	End 02:30
Start	End
SUNDAY	
Start 09:00	End 02:30
Start	End
Will the sale of alcohol be for consumption:	If the sale of alcohol is for consumption on
	the premises select on, if the sale of alcohol
• On the premises • Off the premises •	Both 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 o	ccur on additional days during the summer months.
Non-standard timings. Where the premises will be used fo column on the left, list below	or the supply of alcohol at different times from those listed in the
For example (but not exclusively), where you wish the acti	ivity to go on longer on a particular day e.g. Christmas Eve.
	This to go on onger on a paraeolar day eigi emisantas ere.
State the name and details of the individual whom you willicence as premises supervisor	ish to specify on the
Name	
First name	
Family name	

Continued from previous page	
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 PREMIS	SES SUPERVISOR CONSENT
be supplied to the authority?	proposed designated premises supervisor sed designated premises supervisor
 As an attachment to this app 	olication
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 19	
ADULT ENTERTAINMENT	
Highlight any adult entertainmen premises that may give rise to cor	nt or services, activities, or other entertainment or matters ancillary to the use of the incern in respect of children
rise to concern in respect of child	intended to occur at the premises or ancillary to the use of the premises which may give ren, regardless of whether you intend children to have access to the premises, for example ni-nudity, films for restricted age groups etc gambling machines etc.
None	
Section 17 of 19	
HOURS PREMISES ARE OPEN TO	THE PUBLIC
Standard Days And Timings	
MONDAY	Give timings in 24 hour clock.
Start 0	9:00 End 03:00 (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.

Continue of the continue of th	· · · · · · · · · · · · · · · · · · ·
Continued from previous page	
TUESDAY	
Start 09:00	End 03:00
Start	End
WEDNESDAY	
Start 09:00	End 03:00
Start	End ·
THURSDAY	
Start 09:00	End 03:00
Start	End
FRIDAY	
Start 09:00	End 03:00
Start	End
SATURDAY	
Start 09:00	End 03:00
Start	End
SUNDAY	
Start 09:00	End 03:00
Start	End
State any seasonal variations	
For example (but not exclusively) where the activity will occ	cur on additional days during the summer months.
Non standard timings. Where you intend to use the premist those listed in the column on the left, list below For example (but not exclusively), where you wish the activ	es to be open to the members and guests at different times from
The delivery of the delivery o	to go other general and particular day e.g. emistings eve.
Section 18 of 19	
LICENSING OBJECTIVES	
Describe the steps you intend to take to promote the four I	icensing objectives:
a) General – all four licensing objectives (b,c,d,e)	

Continued from previous page...

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

The club will employ CCTV cameras inside and outside the club. The club will also use male and female security guards, who are trained SIA badge holders, to search young people who are entering the club, and to monitor their behaviors when in and around premises. There will always be a minimum of 2 security guards, dependant on risk assessment. Security will Maintain an orderly queue outside the venue, before entry.

Parents will be encouraged to drop of and pick up young people at all events.

We will work with the youth services and other key organizations to protect children from harm.

All staff will be CRB checked. We will also work with the police, to share information when ever necessary.
We will adhere to the Challenge 21 protocol, seeking identification from everyone who appears to be under 21, to prove
they are 18 years of age, prior to the sale of alcohol. An incident log shall be kept at the premises to record any crimes,
incidents, complaints, or criminal activity/disorders. This will be made available to the police if needed.

b) The prevention of crime and disorder

The club will use male and female security guards who are firm but polite to young people. All people entering the club will be searched. There will always be a minimum of 2 security guards, dependant on risk assessment.

All young people entering the club will be searched for offensive weapons or any illegal substances. Anyone refusing a search will not be permitted to the club. If Any young person is found with anything on them, it will be confiscated and they will be refused entry to the club. For any serious offences the police will be called. Information notices about crime and disorder issues will be displayed in the club. We will also work with any Community Safety Partnership, council and the police to adopt any reasonable safeguards promoted. We will adhere to the Challenge 21 protocol, seeking identification from everyone who appears to be under 21, to prove they are 18 years of age, prior to the sale of alcohol. An incident log shall be kept at the premises to record any crimes, incidents, complaints, or criminal activity/disorders. This will be made available to the police if needed.

c) Public safety

We will promote and encourage parents to drop of and pick up all young people attending the club. This will limit the number of young people on the streets. We will also employ stewards to assists with the exit of young people from the club, at the end of the night. We will maintain and orderly queue outside the club. We will ensure that we stick to our maximum capacity. We will ensure that lighting is provided outside the premises when it is dark. We will Keep all exit and fire routes clear. Safety checks will be carried out before the admission of the public. We will have notices detailing the action to be taken in the event of fire or other emergencies, prominently displayed and protected from damage and deterioration. There will also be information on health and safety, fire precautions and other safety legislation. We will have first aide on site when club is open.

d) The prevention of public nuisance

We will work with other agencies, who can assist and work with young people, on nights when the club is open. Encourage parents to drop of and pick up all young people attending the club, to limit the number of young people on the streets. We will also employ stewards to assists with the entry and exit of young people from the club, at the start and end of the night. We will also take great care in selecting the type of music we play to the audience. We will employ a no re admission to stop young people leaving the club once entered. Make sure amplified music does not disturb residents. No drinks may be taken outside the club. Promote the importance for young people to leave the premises area quietly and not to hang out in the town, and mix with over 18s nightlife.

We will also employ a dress code for the club.

e) The protection of children from harm

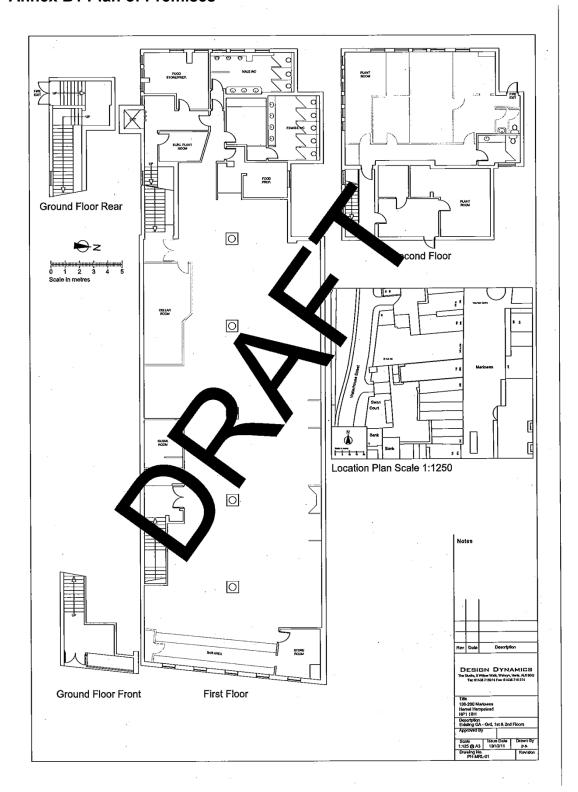
We will endeavour to work with drug and alcohol services, youth services, engagement teams, youth workers and any youth organizations. All staff working in the club will be CRB checked.
We will have security cameras in and outside the club.

There will be staff and security in the club, that will monitor the safety of young people on arriving, during and on leaving the club, on all events. No over 18s will be allowed in the club, on under 18 events (unless they are working) anyone who looks older will be asked for I.D.

Continued from previous page							
Young people will be made av	vare that if anyone	is caught fig	hting, will be l	oared from	the club.		
A strict anti bullying policy wil	I operate and if we	discover any	persons intin	nidating otl	hers or using	g inappropria	te language,
they will not gain entry, or if in	iside the club, then	they will be	escorted from	the venue	, and every	effort will be	made to try
and contact parent/guardian t	o collect them.				•		. í
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PAYMENT DETAILS							
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Premises licence application fe	ees are determined	by the non-	domestic rate	able value d	of the premi	ises. You can t	find out the
current rateable value of your	premises using the	e Valuation O	ffice Agency's	search eng	jine at:		
http://www.2010.voa.gov.uk/r							
Band A Premises not rated, or	r rateable value up	to £4,300					
Application fee: £100.00							
Band B Rateable value betwe	en £4,301 and £33	,000					٠.
Application fee: £190.00							
Band C Rateable value betwe	en £33,001 to £87,	000					
Application fee: £315.00	607.001 612						
Band D Rateable value betwe	en £87,001 to £12:	5,000					
Application fee: £450.00 # Band E Rateable value £125,0	01 or areator						
Application fee: £635.00 #	or or greater					•	
# Premises in bands D or E use	d primarily for the	concumption	سم اممامها مس	44 1			
requiring fees of £900.00 or £1	905 00 respective	ly Premises	ndorgoing co	the premi	ses are subje	ect to fee mul	itipliers,
they were in Band C for fee pur	rnoses	iy. Freiilises t	nuergoing co	iistruction .	or redevelo	pment are tre	eated as if
Certain community premises, i		alls, chanel h	alls village hal	lls commu	nity controc	and schools	and collogos
which are only licensed for ent	ertainment and No	OT alcohol or	late night refr	echment r	nay ba ayar	and schools	ariu Coneges,
application and annual fees. Pl	ease contact us to	discuss whet	her vour prem	ises will fal	ll within this	evemotion	ising
Premises licences for large cap	acity events (i.e. m	ore than 5.00	0 people atte	ndina) will	require pay	ment of an ac	ditional fee
based upon the number of peo	ople permitted to a	ttend the ev	ent at any time	e. Please co	entact us for	details of the	Se Se
additional fees.			,				
* Fee amount (£)	315.00						. [
ATTACHMENTS	313.00				•		
AUTHORITY POSTAL ADDRES Address	. S						
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DECLARATION							
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							1

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	v advertise my application, by arranging for a public notice to be published in a local 0 working days, and by displaying notices printed on blue paper at or near the premises and times for the next 28 days.
☐ Ticking this box indica	tes you have read and understood the above declaration
This section should be comple behalf of the applicant?"	eted by the applicant, unless you answered "Yes" to the question "Are you an agent acting on
* Full name	
* Capacity	
Date (dd/mm/yyyy)	
	Add another signatory
2. Go back to https://www.go with your application	to do the following: outer by clicking to file/save as v.uk/apply-for-a-licence/premises-licence/dacorum/apply-1 to upload this file and continue I have all your supporting documentation to hand.

Annex B1 Plan of Premises

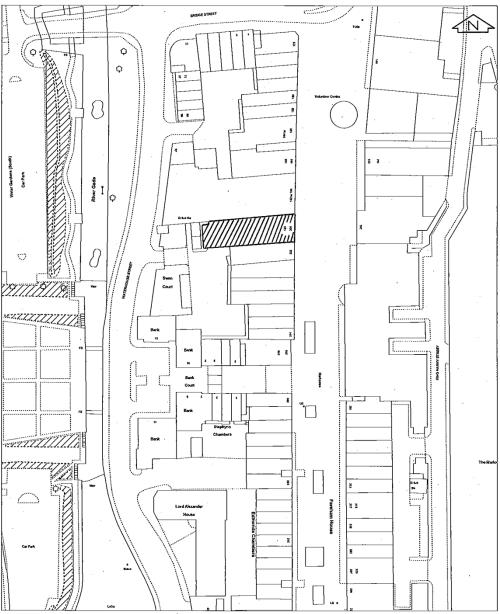


Annex B2 Site map of area



Dacorum Borough Council Licensing

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



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Dacorum Borough Council 100018935: 2013

Date: 05/09/2013

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Annex C Representation from the Police and suggested conditions



REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES.

Responsible Authority: Police - On behalf of The Chief Constable of Hertfordshire.

Your Name	PS DEAN	
Job Title	Police Sergeant	
Postal and email address	Nicola.Dean@herts.pnn.police.uk	
	Hemel Hempstead Police Sttaion	
	Combe Street	
	Hemel Hempstead	
Contact telephone number	01442 271603/01727 796054	

Name of the premises you are	198 – 200 The Marlowes, Hemel Hempstead
making a representation about	
Address of the premises you are	198 – 200 The Marlowes, Hemel Hempstead
making a representation about	

Which of the four licensing	Yes	Please detail the evidence supporting your representation.
Objectives does your	Or	Or the reason for your representation.
representation relate to?	No	Please use separate sheets if necessary
To prevent crime and	Yes	Please see statement attached
disorder		
Public safety	Yes	Please see statement attached
To prevent public nuisance	Yes	Please see statement attached
To protect children from	Yes	Please see statement attached
harm	1	

Suggested conditions that could	Please see attached statement and proposed conditions
be added to the licence to	
remedy your representation or	
other suggestions you would like	
the Licensing Sub Committee to	
take into account. Please use	
separate sheets where	
necessary and refer to checklist.	

Signed: Date: 04/09/13

	(when complete)
i	Witness Statement
	(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)
	URN
	Statement of PS Nicola DEAN 1991
	Age if under 18 O18 (if over 18 insert "over 18") Occupation Police Sergeant
	This statement (consisting of pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true. Signature Date 3 rd September 2013
	Tick if witness evidence is visually recorded (supply witness details on rear)
	I am a Police Sergeant employed by Hertfordshire Constabulary and hold the National Certificate for Licensing Practitioners.
	This statement relates to the application made under the Licensing Act 2003 for the grant of a premises licence. The application is made by Mr Charles BAILEY in respect of the premises at 198 – 200 Marlowes, Hemel Hempstead HP1 1BH. The application seeks the supply of alcohol daily from 09.00 to 02.30 hours, the provision of regulated entertainment and late night refreshment between 09.00 and 03.00 hours daily. The operating schedule

states that the premises will mainly be used and promoted as an under 18's nightclub. It also talks about operating as a venue for hire by people seeking a suitable venue and potentially operating nights for those over the age of 18 years.

The Home Office Amended Guidance Issued Under Section 182 of the Licensing Act 2003 (June 2013), clearly outlines what applicants are expected to include in their application



This includes positive proposals on how they will manage any potential risks and consideration must be given to all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application. The Guidance states "Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises." It concludes by saying that operating schedules "should be precise and clear about the measures that are proposed to promote each of the licensing objectives. that when making applications, applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applicants are expected to make it clear why the steps they are proposing are appropriate for their premises."

The operating schedule that forms part of this application does not meets this standard and is lacking in vital detail. The applicant is proposing two very different activities at the premises but in the operating schedule has focused predominantly on the under 18 events at which no alcohol will be served. Permission is however sought to serve alcohol seven days a week between 09.00 and 02.30 hours and the operating schedule lacks clear and detailed measures intended to address the licensing objectives for a venue licensed in this way. Prior to receiving the application Al LATTO had discussions with the applicant Mr BAILEY and raised the need to cover these issues in the operating schedule.

The premises have previously been licensed as a nightclub but have been closed for a number of years consequently the police have no recent history of incidents in respect of the premises itself. However, the police have a number of concerns regarding the application.

The premises is located in the pedestrianized area of the town centre and is in close proximity to a number of venues licensed to sell alcohol. The application suggests that under 18 events are likely to take place at the weekends between 19.00 and 23.00. In one 12 month period ending in August 2012, police were called to 49 incidents in the town



centre area (this does not include the old town area) between these hours. If granted the premises could operate as an under 18 venue right through until the 03.00 finish time sought on the application, providing regulated entertainment and late night refreshment potentially increasing the risk of crime and disorder. This is supported by the figures for incidents recorded between 23.00 and 03.00, when in the same 12 month period police were called to 144 incidents in the town centre area. Is the under 18 events end at 23.00 hours then the youths will exit the venue into the heart of the town centre at the most high risk time.

A Home Office report published in 2007 examined the impact of introduction of the Licensing Act 2003 and found that violent crime had sharply increased between the hours of 03.00 and 06.00. It is therefore vital that any premises seeking a closing time of 03.00 hours provides clear and detailed information regarding the measures they intend to implement in order to prevent their premises from contributing to local crime and disorder. This application fails to provide information on measure that will apply when the premises is not being run as an under 18s venue. Consideration also must be given to the impact of the proposed hours on the Town Centre. The Home Office Guidance, talks about the introduction of variable licensing hours as a method of facilitating a more gradual dispersal of customers from the premises. It recognises 'that the impact on the surrounding areas of the behaviour of customers from all premises taken together will still be greater than the impact of the customers of individual premises'.

The operating schedule states that parents will be encouraged to drop off and pick up the young people. Unfortunately the location of the premises within the pedestrianized area means that this is not a realistic proposition and if the licence is granted a significant number of young people will be walking through and around the town centre between these hours. Consequently this will result in the young people coming into contact with adults who may already intoxicated, this not only places the young people at risk but potentially could result in increased crime and disorder in the Town Centre. The schedule states that the young people could be let out of the rear of the building at the end of the evening. The rear entrance of the building is in a service yard and although this would direct the young people away from the town centre, the service yard would be unsuitable





as a collection point for potentially up to 200 persons. The application fails to demonstrate a safe dispersal policy. The applicant has stated within the operating schedule "Promote the importance for young people to leave the premises quietly and not to hang out in the town, mix with over 18s nightlife". This is not an enforceable condition and requires further detail. It is also not clear as to whether the premises intend to hold over 18 nights at the conclusion of the under 18 nights — which would be very concerning as it would be extremely difficult for the premises to fully disperse the youths prior to the arrival of adults.

The schedule says that stewards are to be employed at the start and end of the night to assist with the entry and exit of young people from the club, but there are no details of how this will operate, who the stewards will be, what training they will receive and how many there will be and at what times and under what circumstances they will be used.

The operating schedule states that there will be a minimum of two security guards, dependent on risk assessment, taking into account the layout of the premises and the intention to use the rear outside of the premises as a smoking area the venue is likely to require a minimum of five licensed SIA door supervisors.

There is very little mention of measures to be put in place in respect of drugs. The schedule talks about young people entering the club being searched for offensive weapons or any illegal substance and how anything found will be confiscated, how they will be refused entry to the club and how the police will be called for serious offences. The applicant does not define a serious offence. It is essential that in order to promote the licensing objectives of preventing crime and disorder and protecting children from harm that any youths found in possession of drugs or offensive weapons are detained and the police called.

The operating schedule states that "if we discover any persons intimidating others or using inappropriate language, they will not gain entry, or if inside the club, then they will be escorted from the venue, and every effort will be made to try and contact parent/guardian to collect them". This is not enforceable and does not contain a sufficient robust measure to prevent youths from leaving the club and entering the night time economy following such





incidents. The police would expect the venue to have an identified holding area for all youths that are to be refused entry, commit offences, are vulnerable, are under the influence of any substance etc and they should be looked after prior to the collection by a parent/guardian or police.

The police would wish to see posters displayed throughout the premises stating that the premises operate a zero tolerance of drugs. To further enforce this zero tolerance policy the toilets should be regularly checked by staff and a record of those checks will be maintained on the premises. It is recommended that these checks are carried out hourly during normal opening times and the frequency increased to half-hourly during peak times on Fridays and Saturdays from 20.00 until close. The records should be kept up-to-date and be made available for inspection at any time by police or an authorised officer from the local authority.

As it is proposed to hire the venue out the police would seek a requirement for a minimum of 14 days notification in writing to be given to the Police prior to all events where an outside promoter is to be used. The Police would also require details of the previous 5 events the promoter has run – in order to assess the risk for crime and disorder.

The installation and use of an ID scanner from 19.00 until last admissions, will assist the premises in ensuring that under 18's are prevented from attending adult events and young adults from gaining admission to events intended only for the under 18's.

As an adult venue the premises does not have a suitable area for people wishing to smoke. The operating schedule suggests that the rear of the club could be used as a smoking area. As smoking cannot be permitted within the building the area referred to in the operating schedule must be in the service area at the rear of the premises. This area is down a long flight of stairs and it would require the presence of a licensed door supervisor to supervise the area and to ensure that people were not able to gain initial access to the premises via this route. The front of the premises would not be suitable for use as a smoking area, as the frontage is small and if used as a smoking area it would obstruct the main entrance and exit to the premises. In addition smoking areas located at the front of premises often become hotspots for disorder.





It is my belief that the granting of the application as requested is likely to result in an increase in crime and disorder within the town centre and potentially place young people at risk. The geographical location of this venue puts it in the heart of the town centre and as such it makes it completely inappropriate to be used as a late night venue for youths. The operating schedule fails to provide sufficient information regarding the measures it considers appropriate for a complex venue of the type proposed in the application. This is a high risk venture which the police believe will under mind all four of the licensing objectives and would urge the committee to reject it in full.

If the Committee are minded to grant the application I would request that they include the conditions suggested by the police as part of the licence, and attach these to this statement.



Proposed Conditions for Rhythm Party Limited

 The digital closed circuit television system shall be compatible with the requirements of Hertfordshire Constabulary. All entry and exit points will 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. This staff member must be able to show a Police or authorised office recent data or footage with absolute minimum of delay when requested.

- 2. A minimum of 5 SIA licensed door supervisors shall be on duty at the premises between 19.00 hours and 30 minutes after closing time.
 - 2 door staff on the entrance, one on the smoking area and two within the venue
- All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
- 4. There shall be no admittance or re-admittance to the premises after (dependant on the terminal huor decided by committee)
 This is to prevent the entrance area being used for smoking
- The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff, so as to ensure that there is no public nuisance or obstruction to the public highway.
- The licence holder will adhere to the Challenge 21 protocol, seeking identification from everyone who appears to be under 21, to prove they are 18 years of age, prior to the sale of alcohol.

Convincing evidence is:

- A passport with photograph
- · A photo driving licence
- A proof of age card with the holders photograph complying with the PASS approved identification scheme and bearing the PASS hologram.

- 7. An incident log shall be kept at the premises, and made available on request to the Police or to an authorised officer, which will record the following:
 - · All crimes reported to the venue
 - All ejections of patrons
 - Any complaints received
 - · Any incidents of disorder
 - All seizures of drugs or offensive weapons
 - Any faults in the CCTV system
 - Any refusals of the sale of alcohol
 - Any visit by the emergency services or a relevant authority
- 8. A minimum of 14 days notice will be given to the police in writing prior to all events where an outside promoter is to be used. Details of the previoous 5 events the promoter has run will be supplied
- 9. The premises will install and use an identification scanner recording details of all persons who gain entry to the premises between the hours or 19.00 until closing.
- 10. Any under 18 events at the premises will not run past 22.00 hours
- 11. A clear dispersal policy will be implemented for all under 18 events
- 12. There will be a minimum of one female SIA licensed door supervisor on duty for all under 18 events
- 13. An identified "holding area" will be established for all under 18 events to allow the safe detention of youths prior to the arrival of suitabel parents/guardians or the police
- 14. No Re-admittance to the premises on under 18 nights
- 15. No over 18 events will be held following the conclusion of the under 18 events
- 16. All under 18's permitted entry to the venue will be assess for alcohol intoxication by way of breathalyser test and assessment will be made as to whether they have consumed any other substances

Annex D: Representation from Environmental Health (Pollution)



Response in Relation to Consultation

Under the Licensing Act 2003

From Environmental Health

SRU: 377417

Officer:

Tracy Aldridge-Jones

Date:

6 September 2013

Application: Rhythm Party Ltd, 198-200 Marlowes, Hemel Hempstead, Herts

History:

None.

6 SEP 2013

Comments or Observations Relating to the Application:

The application is for an Under 18's nightclub. Hours of operation are from 09:00 to 03:00 Monday to Sunday. Entertainment includes, plays, recorded music, performance dance and late night refreshment.

Specific Objection / Representation:

There are insufficient measures in place to ensure music from the venue does not cause a noise nuisance to local residents.

I do not believe that the patio area can be used for people to be entertained/ drink/smoke until the close of business without it causing a nuisance to local residents

Suggested Remedy to Address the Objection:

- The hours of use for the patio to be restricted from 09:00 to 23:30 every day including Bank Holidays. No ingress or egress from the terrace shall be permitted outside of these times, except for smoking.
- 2. When customers are using the patio/outside terrace to smoke no more than five patrons at any one time should be permitted. The number of customers outside shall at all times be regulated by a door supervisor to ensure nearby residents are not disturb by noise nuisance.
- All windows and doors of the premises to be kept closed (except for ingress/digress to the premises) during operational hours.

4. A noise limiter device shall be fitted by the applicant prior to the licensable activities taking place. Suitable levels shall be set and agreed by Environmental Health to prevent a nuisance or a disturbance occurring to neighbouring properties.

I trust this information is of use to you. If I can be of any further assistance, please contact me.

Tracy Aldridge-Jones Environmental Health Officer Environmental Health

Annex E Local Policy considerations

It is considered that the following have a bearing on the application:

- 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

- 10.1 The Licensing Authority will avoid imposing disproportionate conditions on premises. It will only impose conditions that are necessary in order to promote the licensing objectives and are in themselves reasonable and proportionate.
- 10.2 In the case of an unopposed application the Licensing Authority has the discretion only to apply conditions that are consistent with the operating schedule. Where there are relevant representations and these are upheld by the Licensing Authority's Licensing Committee, further conditions may be attached to a licence in pursuance of the promotion of the licensing objectives.
- 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.
- 10.4 The Council will seek to avoid attaching conditions to licences unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other

legislation (as indicated in paragraph 13.9 of the Secretary of State's Guidance). It is not the Licensing Authority's intention to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators e.g. The Health and Safety at Work Act 1974 and the Regulatory Reform (Fire Safety) Order 2005.

19. 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

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. 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.

The Licensing objectives

Crime and Disorder

- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the

prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

Public Nuisance

- 2.18 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.
- 2.19 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. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.20 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.21 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.22 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early-morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave.

- 2.23 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.24 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.

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 (see paragraphs 9.4 to 9.10 below). 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.
- 9.12 In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but may also be able to make relevant representations with regards to the other licensing objectives if they have evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.
- 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;
- this Guidance;
- its own statement of licensing policy.

9.35 The licensing authority should give its decision within five 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

10.8 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.

** LICENSING OF ALCOHOL AND GAMBLING SUB-COMMITTEE 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 or other person who has made relevant representations (in that order, except in the case of a Review where the order will be: the person or Responsible Authority bringing the Review, the Licence-Holder, and any other Responsible Authority or other person having made relevant representations). 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 person or Responsible Authority, who have made relevant representations, and the Applicant (in that order, except in the case of a Review where the order will be: any person or Responsible Authority which has not made the application for Review, the Licence-Holder, and the person or Responsible Authority bringing the 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.

** 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