

**APPLICATION FOR GRANT OF PREMISES LICENCE
UNDER S.17 OF THE LICENSING ACT 2003**

Applicants name Mr Darren Miles

Name and address of premises 'Mode'
156 Marlowes
Hemel Hempstead
Hertfordshire
HP1 1BA

Ward Hemel Hempstead Town

1. Background

1.1 This is an application for a new grant. The premises was subject to a premises licence until the company that held the licence was dissolved on 27th November 2018, causing the licence to lapse. In these circumstances the Licensing Act allows a 28 day period in which the licence can be transferred to enable it to continue, but in this case no transfer took place.

The new application seeks authorisation for the same activities and times as those on the previous licence.

2. Application

2.1 The application seeks authorisation for the following licensable activities and times:

Provision of films – Indoors

Sunday to Thursday 09:00 until 02:00
Friday & Saturday 09:00 until 03:30

New Year's Eve 10:00 until terminal hour New Year's Day
1 additional hour on commencement of British Summer time

Provision of indoor sporting events

Sunday to Thursday 09:00 until 02:00
Friday & Saturday 09:00 until 03:30

New Year's Eve 10:00 until terminal hour New Year's Day.

1 additional hour on commencement of British Summer Time.

Provision of live music - Indoors

Sunday to Thursday 09:00 until 02:00
Friday & Saturday 09:00 until 03:30

New Year's Eve 10:00 until terminal hour New Year's Day.

1 additional hour on commencement of British Summer Time.

Provision of recorded music – Indoors

Sunday to Thursday 09:00 until 02:00

Friday & Saturday 09:00 until 03:30

New Year's Eve 10:00 until terminal hour New Year's Day.

1 additional hour on commencement of British Summer Time.

Performances of dance - Indoors

Sunday to Thursday 09:00 until 02:00

Friday & Saturday 09:00 until 03:30

New Year's Eve 10:00 until terminal hour New Year's Day.

1 additional hour on commencement of British Summer Time.

Late night refreshment - Indoors

Sunday to Thursday 23:00 until 02:00

Friday & Saturday 23:00 until 03:30

Sale by retail of alcohol – for consumption on the premises

Sunday to Thursday 09:00 until 02:00

Friday & Saturday 09:00 until 03:30

New Year's Eve 10:00 until terminal hour New Year's Day.

1 additional hour on commencement of British Summer Time.

Hours proposed to be open to the public

Sunday to Thursday 09:00 until 02:30

Friday & Saturday 09:00 until 04:00

New Year's Eve 10:00 until terminal hour New Year's Day.

1 additional hour on commencement of British Summer Time.

The application for grant of premises licence is set out at Annex A.

3. Details of Representations

- 3.1 Seven representations were received during the consultation period, all from residents living in the vicinity of the premises, and all citing concerns of public nuisance, disorder and anti-social behaviour in the locality.

These representations are set out at Annexes B1 to B7.

- 3.2 Whilst not making formal representations to the application, Dacorum Borough Council Planning Department have advised in their response that planning permission would be required to change the use of the premises from a public house to a nightclub.

- 3.3 Three complaints have been received for this premises since 2015 – two received during 2015 (when the premises was 'Verve' Bar) related to noise emanating from inside the premises, and the third, received in January 2016 related to noise and disorder outside the premises.

- 3.4 A plan of the premises and map of the locality in which the premises is situated is set out at Annex C.

ANNEX A Application for grant of premises licence

ANNEX A Application for grant of premises licence



Dacorum
Application for a premises licence
Licensing Act 2003

For help contact
licensing@dacorum.gov.uk
Telephone: 01442 228000

* required information

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

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

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

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	156
* Street	marlowes
District	
* City or town	hemel hempstead
County or administrative area	
* Postcode	HP11BA
* Country	United Kingdom

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PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name	156
Street	marlowes
District	
City or town	hemel hempstead
County or administrative area	
Postcode	hp11ba
Country	United Kingdom

Further Details

Telephone number	07468563872
Non-domestic rateable value of premises (£)	37,500

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

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OPERATING SCHEDULE

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

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

Provide a general description of the premises

Continued from previous page...

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

The venue is a nightclub, that is laid out over 2 floors. the ground floor is the bar area, the 1st floor is made of a staff area, customer toilets, and cellar/storage area.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

Yes No

Standard Days And Timings

MONDAY

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the exhibition of films take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

The playing of Films for customers and during this music will be played amplified and unamplified.

State any seasonal variations for the exhibition of film

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

N/A

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

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

NEW YEARS EVE: 10:00 HOURS UNTIL TERMINAL HOUR NEW YEARS DAY. 1 ADDITIONAL HOUR ON COMMENCEMENT OF BRITISH SUMMER TIME

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

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THURSDAY

Start

End

Start

End

FRIDAY

Start

End

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End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

The viewing of televised sporting events such as the football world cup, rugby world cup or large scale boxing matches. music will be played in the venue amplified and unamplified

State any seasonal variations for indoor sporting events

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

N/A

Continued from previous page...

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

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

NEW YEARS EVE: 10:00 HOURS UNTIL TERMINAL HOUR NEW YEARS DAY. 1 ADDITIONAL HOUR ON COMMENCEMENT OF BRITISH SUMMER TIME

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

The performance of live djs, bands, or singers. The music will be either amplified or unamplified, depending on the type of performance

State any seasonal variations for the performance of live music

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

N/A

Non-standard timings. Where the premises will be used for the performance of live 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.

NEW YEARS EVE: 10:00 HOURS UNTIL TERMINAL HOUR NEW YEARS DAY. 1 ADDITIONAL HOUR ON COMMENCEMENT OF BRITISH SUMMER TIME

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start 09:00

End 02:00

Start

End

WEDNESDAY

Start 09:00

End 02:00

Start

End

THURSDAY

Start 09:00

End 02:00

Start

End

FRIDAY

Start 09:00

End 03:30

Start

End

SATURDAY

Start 09:00

End 03:30

Start

End

SUNDAY

Start 09:00

End 02:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

THE PLAYING OF PRE RECORDED MUSIC FOR ENTERTAINMENT PURPOSES, THIS MUSIC WILL BE AMPLIFIED.

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.

N/A

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

Continued from previous page...

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

NEW YEARS EVE: 10:00 HOURS UNTIL TERMINAL HOUR NEW YEARS DAY. 1 ADDITIONAL HOUR ON COMMENCEMENT OF BRITISH SUMMER TIME

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

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

Continued from previous 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.

THE PERFORMANCE OF DANCE FOR ENTERTAINMENT E/G BACKING DANCERS, STILT WALKERS, OR PODIUM DANCERS.

State any seasonal variations for the performance of dance

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

N/A

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

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

NEW YEARS EVE: 10:00 HOURS UNTIL TERMINAL HOUR NEW YEARS DAY. 1 ADDITIONAL HOUR ON COMMENCEMENT OF BRITISH SUMMER TIME

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

[See guidance on regulated entertainment](#)

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

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Start

End

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End
Start End

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

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

- Indoors Outdoors Both

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

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

HOT FOOD OR DRINK TO BE MADE AVAILBLE TO CUSTOMERS FOR PURCHASE INSIDE THE VENUE.

State any seasonal variations

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

N/A

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

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

Continued from previous page...

NEW YEARS EVE: 10:00 HOURS UNTIL TERMINAL HOUR NEW YEARS DAY. 1 ADDITIONAL HOUR ON COMMENCEMENT OF BRITISH SUMMER TIME

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start 09:00

End 02:00

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Start

End

TUESDAY

Start 09:00

End 02:00

Start

End

WEDNESDAY

Start 09:00

End 02:00

Start

End

THURSDAY

Start 09:00

End 02:00

Start

End

FRIDAY

Start 09:00

End 03:30

Start

End

SATURDAY

Start 09:00

End 03:30

Start

End

SUNDAY

Start 09:00

End 02:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

Continued from previous page...

State any seasonal variations

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

N/A

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

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

NEW YEARS EVE: 10:00 HOURS UNTIL TERMINAL HOUR NEW YEARS DAY. 1 ADDITIONAL HOUR ON COMMENCEMENT OF BRITISH SUMMER TIME

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

Name

First name

Family name

Date of birth

 / /

dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

Continued from previous page...

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Give timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Start

End

TUESDAY

Start

End

Start

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WEDNESDAY

Start

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Start

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THURSDAY

Start

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Start

End

FRIDAY

Start

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End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

N/A

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

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

NEW YEARS EVE: 10:00 HOURS UNTIL TERMINAL HOUR NEW YEARS DAY. 1 ADDITIONAL HOUR ON COMMENCEMENT OF BRITISH SUMMER TIME

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LICENSING OBJECTIVES

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

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

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

o promote all four licensing objectives we will keep:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

No selling of alcohol to underage people.

No drunk and disorderly behavior on the premises area.

Vigilance in preventing the use and sale of illegal drugs at the retail area.

No violent and anti-social behavior.

no harm to any children.

- operating schedule providing the hours of operation and licensable activities during those hours.

- designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training to staff on the licensing Act (training record), to make or authorize each sale.

- clear challenge 25 information to prevent the supply of alcohol to under age drinkers.

-CCTV system installed

As a licensed premises we know that it is necessary to carry out our functions or operate their business with the purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

Continued from previous page...

b) The prevention of crime and disorder

The licence holder shall ensure toughened glass shall be used at the premises.
A dispersal policy will be operated at the premises.
A pre-call service for taxis service will be available for customers.
The licence holder shall actively participate in the local pub watch or equivalent scheme.
CCTV equipment will be installed at the premises in consultation with the police to cover both the external patio and smoking area and internally.
CCTV recordings will be stored for a minimum period of time as agreed with the police and during this period made available to an authorized officer of the licensing authority and police on request.
Regular toilet checks will be conducted at the premises.
The toilet pans will be boxed in to avoid flat surfaces being available for drug abuse.
No open vessels are to be allowed outside the premises (other than the smoking area).
The licence holder shall ensure if there is any doubt as to the age of customers, this venue will only accept photographic driving licences, passport or a form of identification with the pass hologram.
The requirement for door supervisors will be determined by a management risk assessment. However, from 20:00 hours, a minimum of one door supervisor per 100 customers and a minimum of 2 door supervisors will be employed at the premises during times perceived to be high risk.

c) Public safety

The position of type of fire safety and fire fighting equipment will be agreed with the fire officer.
The premises will be constructed and operated in accordance with health and safety and related legislation in order to ensure the safety of customers and staff.

d) The prevention of public nuisance

Notices asking patrons to leave quietly will be dispersed at the premises.
A door supervisor will monitor the outside areas, when in use, during perceived high risk times.
The licence holder shall continue to work with neighbors and local authority to reduce any incidents or pollution to the community.

e) The protection of children from harm

At events arranged for customers under the age of 18, only persons between the age of 12 - 17 will be allowed access when the event is going on beyond 21:00 hours.
The police will be given advance notice of events arranged for customers under the age of 18.
At events arranged for customers under the age of 18, all alcohol will either be locked away or removed and pumps shut off.
At events arranged for customers under the age of 18, additional attendants will be provided to ensure the safety of the patrons.
At events arranged for customers under the age of 18, at least one female member of door staff will be available.
at events arranged for customers under the age of 18, a designated 'child welfare officer' will be on duty.
Adult entertainment will not be allowed at any events arranged for customers under the age of 18.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

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

Premises licence application fees are determined by the non-domestic rateable value of the premises. You can find out the current rateable value of your premises using the Valuation Office Agency's search engine at:

<https://www.gov.uk/correct-your-business-rates>

Band A | Premises not rated, or rateable value up to £4,300

Application fee: £100.00

Band B | Rateable value between £4,301 and £33,000

Application fee: £190.00

Band C | Rateable value between £33,001 to £87,000

Application fee: £315.00

Band D | Rateable value between £87,001 to £125,000

Application fee: £450.00 #

Band E | Rateable value £125,001 or greater

Application fee: £635.00 #

Premises in bands D or E used primarily for the consumption of alcohol on the premises are subject to fee multipliers, requiring fees of £900.00 or £1,905.00 respectively. Premises undergoing construction or redevelopment are treated as if they were in Band C for fee purposes.

Certain community premises, including church halls, chapel halls, village halls, community centres and schools and colleges, which are only licensed for entertainment and NOT alcohol or late night refreshment, may be exempt from licensing application and annual fees. Please contact us to discuss whether your premises will fall within this exemption.

Premises licences for large capacity events (i.e. more than 5,000 people attending) will require payment of an additional fee, based upon the number of people permitted to attend the event at any time. Please contact us for details of these additional fees.

* Fee amount (£)

315.00

DECLARATION

• It is an offence, under section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under section 24B of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to section 21 of the same Act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Continued from previous page...

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

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

I understand that I must now advertise my application, by arranging for a public notice to be published in a local newspaper within the next 10 working days, and by displaying notices printed on blue paper at or near the premises and conveniently readable at all times for the next 28 days.

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

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

* Full name
* Capacity
* Date / /
 dd mm yyyy

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

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

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

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

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

ANNEX B1

From: ***** [mailto:*****@gmail.com]
Sent: 10 April 2019 14:24
To: Licensing Mailbox
Subject: Re: Application ref. no: M048066. Opposed

Date received: 25 March 2019
Premises name: Premises address: Mode, 156 Marlowes, Hemel Hempstead, Hertfordshire
HP1 1BA Application ref. no: M048066 Application type: LA2003 s.17 Premises licence - New
licence application

To whom it may concern at Dacorum Borough Council.

I note the above application has been submitted. I am the owner of ** The Square,
Marlowes, Hemel Hempstead, HP1.

I vehemently oppose this application for the following reasons:

1. There are young families requiring a decent nights sleep. Later opening and live amplified music will impair the rest and peace of the residents and area.
2. This will also attract crowds and the high potential for anti social behaviour with late night drinking, potential drug users/dealers etc.
3. The existing doorway to our block is already heavily urinated in. It will not assist this issue.
4. I have a concern there would be an adverse effect on my property value. If I wish to sell this would not be a benefit, if anything it would put purchasers off.
5. I appreciate there should be an area for late/live events. But 02:30 weekdays and 03:30 at weekends in a densely populated area is inconsiderate. A maximum late opening time of 01:00 at weekends would be acceptable. They are advertising 4am closing times on Friday and Saturday. Residents cannot do 7 days of late opening times.
6. Since opening Mode has been nothing other than a nuisance to residents. It has not assisted in clear ups, attracts undesirables, drugs, anti social behaviour, drunks, shouting and abuse in the locality upon closing. I don't think any further licenses will improve the situation.

I thank you in advance for your time. And hope you appreciate that having a nightclub below my flat recently approved has already significantly changed lifestyles.

I look forward to a speedy decision.

Kind regards

ANNEX B2

From: *****@***** [mailto:*****@*****]

Sent: 12 April 2019 00:02

To: Licensing Mailbox

Subject: Application ref no: M048066

My name is ***** and I currently live at ** the square,marlowes *****.

I am writing in order to state my objection to the extended opening hours of the mode night club at 156 marlowes.as it stands,the current opening hours have had enough of an affect on my sleep patterns that i dread to think what it will do if allowed to operate all week.its hard to describe living above a night club,I live on the second floor so i dont have it as bad as the lady who lives downstairs or her neighbors with their toddler but when 11pm comes on friday and Saturday and that music starts,i can feel it.if i have company and wish to play music,the bass and beat will be cancelled out by the noise coming from below.

As for sleeping through it,it's strange,you can get used to certain sounds in the place you live,and after time you don't pay as much attention to them,like having the washing machine or tumble dryer going while you sleep,or the noises in the pipes when the central heating comes on.(i cant speak for the people who live below me)so over time i started to sleep through the music but every so often some daft beat or bass line will wake me and keep me awake.im normally woken once a night buy people screaming at each other and the police are a regular sight in their vans and such.the noise and behaviour of a ton of people all boozed up is something to behold,the staff do what they can and the taxis can be prompt but im guaranteed to wake up at every closing time if only to pass out again.with summer coming and open windows being required i know i probably won't be going back to sleep until most of the patrons have gotten their lifts home or drifted away.i won't try and number the amount of times ive watched someone vomit.though there was this time where a young man was seated in the bus stop fiddling with his phone like he was using two thumbs to type,he then then hurled all over said phone,hands,trousers and shoes.wiped the phone and tried to carry on.he was steamboat.

Ive seen a ton of scuffles,nearly always booze fuelled and accompanied by crying girls. girls crying because someone hit them,girls puking in the bin or screaming at each other about being a slag.ive had folks just buzzing the hell out of my intercom over and over or using the main entrance as a place to relieve themselves.on occasion vomit,though thankfully the second occasion was largely to the side of the door but still,down the step and on the pavement.

Dreading the shrieking and shouting etc this summer

With regards to stating how this license will undermine the licensing objectives i will try and be more clear.seeing as how mode already does a terrible job of controlling their patrons,especially at closing time as I mentioned already,i can't see how putting up signs asking people to leave quietly is going to make any difference,infact I expect they already have signs that obviously do very little and i doubt they ask everybody to act accordingly.i dont see how being open seven days a week can improve this.so I believe this undermines the objectives of crime and disorder and also public nuisance prevention.the police are regular visitors to the establishment which shows that one security person for every 100 patrons doesn't cut it.so granting the license just means ill be seeing them outside every night when security fails to control drunk patrons,thats if they haven't already left before the police arrive and decided to cause trouble elsewhere.is this type of explanation sufficient?

Sincerely

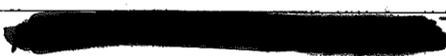
Night club noise

Reference No. 248066

Dear Sir/Madam,

I am writing to object about the new licensing hours being put forward, since living here all I can hear is music from my flat I put earplugs in every Friday and Saturday night. Also there are people vomiting on our door step fights outside after the club has finished and general noise from the night club after it shuts. Nobody in our block of flats is happy with this night club being next to us

Yours faithfully


owner of No 

ANNEX B4

From: ***** [mailto:*****@*****]
Sent: 15 April 2019 11:43
To: Licensing Mailbox
Subject: m048066 la2003 s.17: premises licence

My name is ***** and I live at ** the square Marlowes.
I am against the MODE at 156 Marlowes new licening hours as they are a public nuisance. People leave the mode shouting, singing and fighting on Friday to Sunday early mornings 00:00 to as late as 05:30am. And I do not want this to become a daily thing. They do not hang around the club they move up the street and hang around outside my block and wake me up or it keeps me from sleeping which affects my mental health. Please do not exstand their hours.

ANNEX B5

From: ***** [mailto:*****@*****]
Sent: 15 April 2019 12:57
To: Licensing Mailbox
Subject: Mode night club

As an owner of residential apartments in the market square I must oppose this new license request, it has already been proved that it causes discomfort, annoyance and anxiety to my tenants and other residents. Music being played well over legal limits and past permitted hours are only a couple of the complaints I have received over the years the other complaints are of the antisocial behaviour outside in the street of loud voices, swearing, fighting and litter not to mention using the entrance as a urinal, I had one tenant threatened with violence by the doormen when he complained about the volume of music one night, I Hope the incident was logged. When I first purchased my properties the venue in question was an electrical retailer before you people decided to grant Whitbread's the original licence and it has gone from bad to worse ever since, this is your chance to reverse this mistake.
***** owner of **, **, ** and formally ** The Square Marlowes

From: ***** [mailto:*****@*****]
Sent: 15 April 2019 20:59
To: Licensing Mailbox
Subject: M048066

We are writing regarding the application for the new club.
We are the tenants of the flat

** the square
HP1 1EP

We strongly disagree with the new opening hours. We have a 2 years old kid and the club has already affected us with weekend opening hours. There is noise in the street, we can hear the music from our own flat, there are fights outside the club. And to add there is people urinating and vomiting in the doorway, using our intercom at 3/4 am waking us up.

We absolutely don't want this to happen every night. We need to think about the well-being of our child.

We hope you will consider our objection.

Thank you
Best regards

ANNEX B7

From: *****@***** [mailto:*****@*****]
Sent: 17 April 2019 14:07
To: Licensing Mailbox
Subject: REF application number M048066

To Whom it may concern,

I am the owner of flat ** The Square which is located in the building above the licenced premises know as Bar Mode.

I can not begin to express my concern with this application, the building is clearly residential and not a suitable place for a licenced premises full stop but one which extends past 11 o clock is totally outrageous. These buildings when they were built were never intended for this type of use so are not adequately sound proofed. How are people living above these premises expected to live a normal life if they are going to be subjected to sleep deprivation caused by excessive noise from this venue if the licence is granted.

Quite simply if you put yourself into the shoes of my tenant living in number ** you would not for a moment be willing to grant the lease, imagine if it was a relative of yours living there. Someone who is simply entitled to a decent nights sleep so they can go about their every day work.

In addition to this I have recently been refused a new mortgage on this flat as it is located above an undesirable premises, when I purchased the flat many years ago this was not a consideration as the commercial premises were normal shops. I can not believe that there is even a consideration for a night club to be anywhere in the proximity of a residential dwellings.

I can assure you that I will be contacting the council to conduct an environmental noise assesment if this application goes ahead.

This is not to mention the noise and disturbance that will be created by people leaving these premises.

I would like to be informed of the date the application is being heard so I can attend in person.

Yours Faithfully,

ANNEX C
Map of area in which premises is situated

