

Licensing Department, North Hertfordshire District Council, Council Offices, Gernon Road,
Letchworth Garden City, Hertfordshire, SG6 3JF

PRESCRIBED FORM OF NOTICE (CONDITIONS ON A TEMPORARY EVENT NOTICE) AND
STATEMENT OF CONDITIONS

The prescribed form for a notice (conditions on a temporary event notice) is as follows:

Licensing Department, North Hertfordshire District Council, Council Offices, Gernon Road,
Letchworth Garden City, Hertfordshire, SG6 3JF

Notice (Conditions on a Temporary Event Notice) – Permitted Temporary Activities

On 6th November 2015 the licensing authority received from you, Kenneth Campbell, a temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on 21st & 22nd November 2015 at Rocabessa, 23 Churchgate, Hitchin, Hertfordshire, SG4 0PP. The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 (“the Act”). The licensing authority has decided not to give you a counter notice under section 105 of the Act and instead is imposing one or more conditions on the notice in accordance with section 106A(2) of the Act.

The attached statement (“statement of conditions”) sets out the condition(s) which has/have been imposed on the notice.

The objection which applies is indicated by an “X” in the following table.

Objection	Insert “X” as applicable
A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	X
A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	

A copy of this notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

SIGNATURE		DATE	17 th November 2015
	On behalf of the licensing authority		
Name of Officer signing	Heather Morris		

The prescribed form for a statement of conditions is as follows:

The condition(s) is/are:

Mandatory Conditions

- 1) No supply of alcohol may be made under this licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3) Unless the licensing authority has been notified the licence holder that section 20 (3) (b) of the Licensing Act 2003 applies, the admission of children to the exhibition of any film must be restricted in accordance with the recommendation made by the British Board of Film Classification.
 - 20 (3) (b) Where the relevant licensing authority has notified the holder of the licence that this subsection applied to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- 4) Any one or more individuals at the premises for the purpose of carrying out a security activity must be licensed by the Security Industry Authority.
- 5) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this condition, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted price to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol, or any other thing, as a prize to encourage or reward the purchase and consumption of alcohol over a period of twenty-four (24) hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- (6) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than when that other person is unable to drink without assistance by reason of a disability).
- (7) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (8) (a) The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (c) The policy must require individuals who appear to the responsible person to be under eighteen (18) years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
- (i) a holographic mark; or
 - (ii) an ultraviolet feature.
- (9) The responsible person must ensure that:
- (a) where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcohol drinks sold or supplied having been made up in advance ready for sale or supply in securely closed containers) it is available to customers in the following measures:
 - (i) beer or cider: half pint;
 - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- (10) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

In this condition:

(a) "permitted price" is the price found by applying the formula

$$P = D + (D \times V)$$

where:

- (i) "P" is the permitted price;
 - (ii) "D" is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and
 - (iii) "V" is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:
- (i) the holder of the premises licence;
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enable the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of fourteen (14) days beginning on the second day.

FOR PREMISES LICENCES

"Responsible person" means the holder of the premises licence, the designated premises supervisor, or any other person over the age of eighteen (18) years who has been authorised to sell alcohol at the licensed premises.

FOR CLUB PREMISES CERTIFICATES

"Responsible person" means any member or officer of the club present on the premises in a capacity which enables him/her to prevent supplies of alcohol.

Embedded Restrictions

None

General Conditions

- 1) This licence is issued without prejudice to any other statutory requirements of North Hertfordshire District Council.

Operating Schedule Conditions

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

1. The premises licence holder will ensure that all staff are trained in respect of their responsibilities under the Licensing Act 2003, with refresher training sessions as appropriate to remind staff of responsible alcohol retailing
2. The premises licence holder will ensure that substantial food and alcohol-free beverages are available at all times during the hours that the premises are open to the public in all parts of the premises where alcohol is available for sale.

b) The prevention of crime and disorder

1. The premises licence holder and designated premises supervisor will ensure that the premises are equipped with a comprehensive Closed Circuit Television (CCTV) system, the recordings of which are to a standard that is to the satisfaction of Hertfordshire Constabulary.
2. The premises licence holder and designated premises supervisor will ensure that the CCTV system is maintained in good working order at all times while the premises are open to the public.
3. The premises licence holder and designated premises supervisor will ensure that the CCTV system covers key and vulnerable parts of the premises, including outside of each entrance and exit.
4. The premises licence holder and designated premises supervisor will ensure that the recordings from the CCTV system are kept for a minimum of thirty-one (31) days.

Operating Schedule Conditions (cont'd)

5. The premises licence holder and designated premises supervisor will ensure that a minimum of two (2) persons (namely the designated premises supervisor and a duty manager) are trained to access and operate the CCTV system and download copies of any un-edited recordings upon request by Police Licensing Officers, Police Officers and Police Community Support Officers.
6. The premises licence holder and designated premises supervisor will ensure that viewable and un-edited copies of recordings from the CCTV system can be provided to the Police no later than twenty-four (24) hours after a request.
7. The premises licence holder and designated premises supervisor will ensure that the Police Licensing Department at Stevenage Police Station are notified in writing (via email to licensingeasternarea@herts.pnn.police.uk) on any occasion when the CCTV system is to be inoperative for a period in excess of one (1) working day. The notification will include the measures being taken to ensure that the CCTV system is restored to the standard required by Hertfordshire Constabulary at the earliest opportunity.

b) The prevention of crime and disorder (cont'd)

8. The premises licence holder and designated premises supervisor will ensure that two (2) Security Industry Authority (SIA) registered door supervisors are on duty from 21:00hrs until the premises is closed to the public on every Friday and Saturday.
9. The premises licence holder and designated premises supervisor will ensure that two (2) Security Industry Authority (SIA) registered door supervisors are on duty from 21:00hrs until the premises is closed to the public on every:
 - i) Sunday preceding a Bank Holiday Monday;
 - ii) Christmas Eve;
 - iii) Boxing Day; and
 - iv) New Year's Eve
10. The premises licence holder and designated premises supervisor will ensure that they notify the Police Licensing Department at Stevenage Police Station of their intention to hold club night events. The notification will be in writing (via email to licensingeasternarea@herts.pnn.police.uk) and give a minimum of twenty-eight (28) days notice of the event. The notification will, on every occasion, include date of the event, start and finishing times of the event, the licensable activities to be provided, the nature of the event (including details of any artist/DJ/band performing), name of the promoter and the number of persons attending.
11. The premises licence holder and designated premises supervisor will ensure that an incident book is maintained and kept at the premises. The incident book will record as a minimum:

Operating Schedule Conditions (cont'd)

- i) all crimes reported to the venue;
- ii) all ejections of patrons;
- iii) any complaints received;
- iv) any incidents of disorder;
- v) seizures of drugs or offensive weapons;
- vi) any faults in the CCTV or searching equipment;
- vii) any visit by a statutory authority or emergency service

12. The premises licence holder and designated premises supervisor will ensure that the incident book is made available for inspection upon request by Police Licensing Officers, Police Officers and Police Community Support Officers.
13. The premises licence holder and designated premises supervisor will ensure that a refusals book is used to record attempted underage purchases and kept at the premises.

b) The prevention of crime and disorder (cont'd)

14. The premises licence holder and designated premises supervisor will ensure that the refusals book is made available for inspection upon request by Police Licensing Officers, Police Officers and Police Community Support Officers.
15. The premises licence holder and designated premises supervisor will ensure that a log is kept of all security staff employed at the premises. The log shall include as a minimum the following details:
- i) full name;
 - ii) date of birth;
 - iii) full address;
 - iv) SIA badge number;
 - v) SIA registered company details; and
 - vi) booking on and off times, including dates, when working at the premises
16. The premises licence holder and designated premises supervisor will ensure that there is a personal licence holder on duty and on the premises from 21:00hrs until the premises is closed to the public on every Thursday, Friday and Saturday that the premises is open to the public.
17. The premises licence holder and designated premises supervisor will ensure that the premises operate a zero tolerance drugs policy.
18. The premises licence holder and designated premises supervisor will ensure that the attending manager of the premises shall remain on the premises until it is cleared of all members of the public and staff.
19. The premises licence holder and designated premises supervisor will ensure that every person entering the premises after 22:00hrs is subject of a 'pat and wand' search conducted by an SIA registered door supervisor before entry is permitted beyond the entrance lobby of the premises. On every occasion when a search is denied by the person seeking entry, entry to the premises must be refused.

Operating Schedule Conditions (con'td)

c) Public safety

1. The premises licence holder and designated premises supervisor will ensure that customers shall not be permitted to take any drinks outside onto the terrace area.
2. The premises licence holder and designated premises supervisor will ensure that, for the purpose of smoking, the outside terraced area remains open to customers until closing time.

c) Public safety (cont'd)

3. The premises licence holder and designated premises supervisor will ensure that the exterior of the premises shall be adequately illuminated by the placing and maintaining of two (2) halogen/fluorescent lights above the rear entrance/exit.
4. The premises licence holder and designated premises supervisor will ensure that the premises subscribes to the Pubwatch radio scheme (or equivalent) and will use best endeavours to maintain the subscription throughout the duration of the premises licence.
5. The premises licence holder and designated premises supervisor will ensure that an adequate ventilation system shall be provided within the premises and maintained in good working order at all times the premises is open to the public.

d) The prevention of public nuisance

1. The premises licence holder will ensure that the designated premises supervisor (DPS), or some other responsible person, shall manage (where necessary) any entry queue, the designated smoking area and the dispersal of patrons from the premises to ensure that noisy or rowdy behaviour is prevented and therefore noise disturbance to local residents is minimised.
2. The premises licence holder will ensure that no regulated entertainment or any other music shall be played, relayed or amplified outside the premises at any time.
3. The premises licence holder will ensure that any in-house system provided for playing recorded or amplified live music at the premises shall be approved and agreed in writing by an Environmental Health Officer of North Hertfordshire District Council. No other in-house system shall be permitted at the premises for recorded or amplified live music unless otherwise agreed in writing by an Environmental Health Officer of North Hertfordshire District Council.
4. The premises licence holder will ensure that clear and legible notices are displayed at all exits and other circulatory areas requesting patrons to respect the needs of local residents and to leave the premises quickly and quietly.

Operating Schedule Conditions (cont'd)

5. The premises licence holder will ensure that all windows and doors to the premises shall be closed after 22:00hrs and at all times during regulated entertainment, except for ingress, egress or in the case of an emergency.
6. The premises licence holder will ensure that the designated smoking area shall be located on the first floor terrace.

d) The prevention of public nuisance (cont'd)

7. The premises licence holder will ensure that a maximum of fifteen (15) people are permitted to smoke in the designated smoking area at any one time.
8. The premises licence holder will ensure that access to the designated smoking area shall only be permitted via the first floor fire exit door located furthest away from the first floor entrance.
9. The premises licence holder will ensure that clear and legible notices are displayed in the designated smoking area requesting patrons to respect the needs of local residents and to keep noise to a minimum.
10. The premises licence holder will ensure that the premises enters into a waste removal agreement with a licensed waste disposal contractor and keep documented evidence of this agreement.
11. The premises licence holder will ensure that deliveries and waste collections relating to premises shall only take place between 07:00hrs and 20:00hrs, Monday to Sunday.
12. The premises licence holder will ensure that no glass bottles are emptied into the external waste bins at the premises between 23:00hrs and 09:00hrs, Monday to Sunday.
13. The premises licence holder will ensure that patrons are dispersed from the immediate vicinity of the premises at the earliest opportunity. Where patrons are waiting for hackney carriages or private hire vehicles, the premises licence holder will ensure that the patrons are encouraged to wait within the premises until the vehicle arrives.
14. The premises licence holder will ensure that clear and legible notices are displayed at all entrances/exits detailing:
 - i) the premises' zero tolerance drugs policy;
 - ii) the premises' search/entry policy;
 - iii) contact details for the designated premises supervisor
15. The premises licence holder and designated premises supervisor will ensure that all windows and inner lobby doors shall remain closed at all times except for ingress, egress and in the case of an emergency.

Operating Schedule Conditions (cont'd)

d) The prevention of public nuisance (cont'd)

16. The premises licence holder and designated premises supervisor will ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, shall be swept and/or washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements, at the end of trading every day.
17. The premises licence holder and designated premises supervisor will ensure that the double glazing of the premises is maintained in good condition.
18. The premises licence holder and designated premises supervisor will ensure that the sound retaining fabric to the building is maintained in good condition.
19. The premises licence holder and designated premises supervisor will ensure that the lobby entrance arrangement is maintained and that any alterations to the lobby arrangement is not undertaken until the council's Noise Officers have been consulted and their views incorporated into the new arrangement.
20. The premises licence holder and designated premises supervisor will ensure that a contact telephone number for the premises shall be displayed prominently on the exterior of the building.
21. The premises licence holder and designated premises supervisor will ensure that hackney carriage and private hire vehicle drivers collecting patrons from the premises are informed of the need to keep noise to a minimum and that their vehicle engines are switched off whilst waiting for their clients to leave the premises.

e) The protection of children from harm

1. The premises licence holder and designated premises supervisor will ensure that no persons under eighteen (18) years of age are permitted on the premises, except where the premises is being used as a function room. When the premises is being used as a function room, the premises licence holder and designated premises supervisor will ensure that all persons under eighteen (18) years of age must be accompanied by a parent, guardian or responsible adult.
2. The premises licence holder and designated premises supervisor will ensure that a Challenge 25 Policy is in place and used at the premises; if a member of staff has any doubt that a customer is at least twenty-five (25) years of age then photo-identification proving their age must be requested.

Operating Schedule Conditions (cont'd)

e) The protection of children from harm (cont'd)

3. The premises licence holder and designated premises supervisor will ensure that no entertainment, performance, service or exhibition involving nudity or sexual stimulation, which would fall within the definition of a sex establishment by virtue of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Police and Crime Act 2009, shall be provided on the premises.

4. The premises licence holder and designated premises supervisor will ensure that no person under eighteen (18) years of age shall be employed at the premises whilst the premises are operating under this licence.

SIGNATURE		DATE	17 th November 2015
	On behalf of the licensing authority		
Name of Officer signing	Heather Morris		