

Public Document Pack

10 November 2017

Our Ref Licensing and Appeals Sub-
Committee/27.11.17
Your Ref.
Contact. Ian Gourlay
Direct Dial. (01462) 474403
Email. ian.gourlay@north-herts.gov.uk

To: Members of the Committee: Councillor Jean Green, Councillor Gerald Morris and Councillor Michael Muir.

You are invited to attend a

MEETING OF THE LICENSING AND APPEALS SUB-COMMITTEE

to be held in the

**TOWN LODGE MEETING ROOM 1, GERNON ROAD,
LETCWORTH GARDEN CITY**

On

MONDAY, 27TH NOVEMBER, 2017 AT 7.00 PM

Yours sincerely,



David Miley
Democratic Services Manager

Agenda **Part I**

Item		Page
1.	HEARING PROCEDURE	(Pages 1 - 2)
2.	APPLICATION FOR THE VARIATION OF A PREMISES LICENCE IN RESPECT OF THE THREE HORSESHOES, WILLIAN ROAD, WILLIAN, HERTS. SG6 2AE REPORT OF THE LICENSING OFFICER	(Pages 3 - 44)

**NORTH HERTFORDSHIRE DISTRICT COUNCIL
LICENSING ACT 2003
HEARING PROCEDURE**

<p>1. Chair's Welcome</p> <p>Introduction of:</p> <ul style="list-style-type: none"> • Councillors sitting on Sub-Committee (Sub-Committee); • legal advisor; • licensing officer; • officers of responsible authorities; • interested parties (objectors); and • the Premises Licence Holder. 	
<p>2. The Chair will outline the procedure for the hearing</p>	
<p>3. The Chair will ask the Legal Advisor to outline the matters for consideration during the course of the hearing</p>	

<p><u>The Licensing Officer's report</u></p> <p>4. The Chair will ask the Licensing Officer if they have anything to add to their report to the Sub-Committee</p> <p>5. The Chair will ask if there are any questions of fact of the Licensing Officer</p> <p>6. The Sub-Committee may ask questions of the Licensing Officer</p>	
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<p><u>The responsible authorities submit their case</u></p> <p>7. The Chair will ask the responsible authorities, in turn, to present their submissions to the Sub-Committee</p> <p>8. The Chair will ask if there are any questions of fact of the responsible authority</p> <p>9. The Sub-Committee may ask questions of the responsible authority</p> <p>The above process will be repeated if there is more than one responsible authority</p>	
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<p><u>The interested parties submit their case</u></p> <p>10. The Chair will ask the interested parties, in turn, to present their submissions to the Sub-Committee</p> <p>11. The Chair will ask if there are any questions of fact of the interested parties</p> <p>12. The Sub-Committee may ask questions of the interested parties</p>	
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The Premises Licence Holder's case

13. The Chair will ask the Premises Licence Holder to present their case to the Sub-Committee
14. The Chair will ask if there are any questions of fact of the Premises Licence Holder
15. The Sub-Committee may ask questions of the Premises Licence Holder

Closing statements

16. The Licensing Officer may make final submissions to the Sub-Committee
17. The responsible authorities, in turn, may make final submissions to the Sub-Committee
18. The interested parties, in turn, may make final submissions to the Sub-Committee
19. The Premises Licence Holder may make final submissions to the Sub-Committee

Conclusion

20. The Legal Advisor will summarise any legal points that have arisen during the hearing and will answer any legal questions from the Sub-Committee.
21. The Sub-Committee will close the hearing and retire to make a decision.
22. Where possible, the Chair will announce the Sub-Committee's decision and will give reasons for the decision.

LICENSING AND APPEALS SUB-COMMITTEE 27 November 2017

*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No.
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LICENSING ACT 2003

APPLICATION BY GREENE KING RETAILING LTD FOR THE VARIATION OF A PREMISES LICENCE IN RESPECT OF THE THREE HORSESHOES, WILLIAN ROAD, WILLIAN, HERTFORDSHIRE, SG6 2AE

REPORT OF THE LICENSING OFFICER
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1. BACKGROUND

- 1.1 The existing premises licence was granted by North Hertfordshire District Council on 07 September 2005.
- 1.2 A copy of the current premises licence is attached as **Appendix A**.

2. APPLICATION

- 2.1 The application is for the variation of a premises licence under section 34 of the Licensing Act 2003.
- 2.2 The licensable activities applied for are attached as **Appendix B**.

3. APPLICATION PROCESS

- 3.1 On 04 October 2017, Greene King Retailing Limited made an application for the variation of a premises licence.
- 3.2 The application was received electronically so North Hertfordshire District Council served copies of this application to Hertfordshire Constabulary and the other responsible authorities
- 3.3 A public notice was displayed on the premises for a period of not less than twenty-eight (28) consecutive days in accordance with the requirements of the Act.
- 3.4 A newspaper advertisement was placed in a local newspaper in accordance with the requirements of the Act.

4. REPRESENTATIONS

- 4.1 No representation was received from Hertfordshire Constabulary.
- 4.2 No representations were received from any other responsible authority.
- 4.3 One (1) representation, which has been deemed relevant by the licensing officer, was received from an 'other person' against the application and is attached as **Appendix C**.

- 4.4 The Council's Scheme of Delegation in respect of the Licensing Act 2003 requires the licensing officer to determine whether a representation is relevant as specified by the Act.
- 4.5 Where representations include paragraphs that are not relevant to the Act, these paragraphs have been clearly crossed through and marked as '*not relevant*' by the licensing officer and should not be considered as part of the determination process. **Other Persons must not refer to these paragraphs in any oral presentation at the hearing.**
- 4.6 As the licensing officer has determined that the representations are relevant, it is for the sub-committee to determine what weight to apportion to the representations.
- 4.7 The applicant and the other persons making relevant representations have been invited to attend the hearing to present their respective cases. They have been advised that they may be legally represented and of the committee hearing procedure.

5. OBSERVATIONS

- 5.1 In determining this application, the sub-committee must have regard to the representation and take such steps, as it considers appropriate for the promotion of the licensing objectives.
- 5.2 In making its decision, the sub-committee must act with a view to promoting the licensing objectives. It must also have regard to the licensing authority's Statement of Licensing Policy and National Guidance issued by the Home Office.
- 5.3 The sub-committee has the following options when making their determination:
- i) Grant the application as made
 - ii) Grant the application with amended timings and/or licensable activities
 - iii) Grant the application (as made or as amended) with conditions
(conditions should only be added where appropriate to promote the licensing objectives)
 - iv) Refuse the application.

6. LICENSING POLICY CONSIDERATIONS

- 6.1 The following paragraphs from the Council's Statement of Licensing Policy 2016 may be relevant to this application. This section does not prevent the sub-committee from considering other paragraphs of the Statement of Licensing Policy where they deem it appropriate.

B6

Our vision is:

"To ensure that North Hertfordshire continues to offer a diverse range of well managed entertainment venues and community and cultural activities within a safe and enjoyable environment."

B7

The Council is committed to the continued promotion of the diverse cultural and community activities within the district and providing a safe and sustainable night-time economy for residents and visitors alike. Licensing Policy will be approached with a view to encouraging new and innovative forms of entertainment that promote this vision and are consistent with the four licensing objectives.

B8

The Council encourages greater live music, dance, theatre and other forms of entertainment for the benefit of the community. Where activities require a licence, the Council will seek to balance the potential for disturbance of local residents and businesses against the wider community and cultural benefits.

B9

In making a balanced decision, the Council accepts that those living in town centre environments are likely to experience a degree of disturbance associated with a vibrant night-time economy but this must be managed in such a way to limit its impact beyond that which is reasonable. The Council will at all times consider the wider benefits to and impacts on the community as a whole and will take a proportionate view on the weight to apply to representations.

D2.1

Each licence application will be decided by reference to this Policy, the National Guidance issued by the Secretary of State, relevant legislation and to the individual circumstances of the particular application. The Council may depart from the Policy where the individual circumstances of any application merit such a decision in the interests of the promotion of the Licensing Objectives. Full reasons will be given for decisions taken by the Council when undertaking its licensing functions.

D2.9

The Council will carry out its licensing functions in the promotion of the licensing objectives and, in addition, will support the stated aims of the Act which are as follows:

- (i) protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;*
- (ii) giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;*
- (iii) recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;*
- (iv) providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and*
- (v) encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.*

D6.2

The Council recognises that each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and activities concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises. A standardised approach to imposing conditions must be avoided and conditions will only be lawful where they are deemed appropriate to promote the licensing objectives in response to relevant representations.

D6.3

Conditions will only be imposed when they are appropriate for the promotion of the licensing objectives and will focus upon matters within the control of the individual licensee such as the premises, places or events being used for licensable activities or the surrounding areas of the premises, places or events. Conditions are likely to be focused towards the direct impact of those activities on persons living in, working in or visiting areas affected by, or likely to be affected by, those activities.

D8.1

The Council recognises the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community.

D8.2

Only appropriate, proportionate and reasonable licensing conditions will be imposed on licences so as not to discourage the promotion of entertainment. Conditions will relate to the minimum needed to ensure the promotion of the licensing objectives.

D8.3

The Council will ordinarily avoid any measure which deters live music, dancing and theatre by imposing indirect costs of a substantial nature (for example, noise limiting devices for smaller or community premises). The Council acknowledges, however, that on occasions the imposition of appropriate conditions with cost implications may be the only alternative to refusing an application where there is sufficient evidence in relation to the effect, or likely effect on the licensing objectives.

E3.1.1

Licensed premises may have significant potential to impact adversely on communities through public nuisance that arises from their operation. The Council interprets 'public nuisance' in its widest sense and takes it to include such things as noise, light, odour, litter and anti-social behaviour, where matters arising at licensed premises impact on those living, working or otherwise engaged in activities in the locality. Ordinarily, the Council's Environmental Protection & Housing Team, in their role as a responsible authority, would take the lead in respect of nuisance issues.

E3.1.3

The Council recognises that conditions relating to noise nuisance may not be appropriate in certain circumstances where the provisions of other legislation (for example, the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005) adequately protect those living in the areas surrounding the premises. That said, the approach of the Council will be one of prevention and it will consider each application on its own merits, having due regard to the avoidance of duplication balanced against the effectiveness or otherwise of the other legislative provisions.

E3.2.1

This may include noise from live or recorded music, human voices (both amplified and unamplified) and other forms of entertainment (i.e. indoor sporting events). Measures to prevent a public nuisance may include, but are not limited to:

- installation of soundproofing;*
- installation of noise-limiting devices;*
- provision of acoustic lobbies;*
- no externally played music;*
- restrictions on the times and types of entertainment;*
- keeping windows and doors closed (i.e. with self-closing devices).*

E3.2.2

Soundproofing and other structural modifications may be identified as a requirement following an acoustic survey of the premises. Such a survey may be requested if the building is old and/or insufficiently insulated, very close or adjacent to neighbouring properties and/or the type of entertainment could be considered unsuitable for the premises without additional noise mitigation measures being implemented.

E3.2.3

Noise-limiting devices may be requested, in particular, where the entertainment takes place with sound systems not provided in-house (i.e. brought in by a hired DJ), where the premises is in a residential area or where the premises has a history of noise issues. Before imposing conditions requiring a noise-limiting device, the Council will give consideration to paragraph 2.16 of the Guidance which states:

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 persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

E3.9.1

The Council is fully aware of the nuisance that can be caused by poorly managed or inappropriately located premises, however will seek to strike an appropriate balance with its vision of promoting a diverse and vibrant night-time economy.

E3.9.2

The provision of well-managed and controlled entertainment will be encouraged to promote the vision, however the potential disturbance to residents and businesses will need to have been adequately considered by applicants as part of their operating schedule

E3.9.3

Should disturbance from licensed premises become unreasonable, any review proceedings will seek to impose suitable control measures in the first instance. Should control measures prove ineffective or are deemed inappropriate then the restriction of licensable activity timings, removal of licensable activities, suspension or revocation of the licence will be seriously considered.

F8.1

The Council acknowledges that conditions cannot be imposed on an authorisation where it would be either impracticable or impossible for the licence holder to comply with such conditions when customers have left the premises and are beyond the control of the licence holder.

F8.2

That said, if behaviour of customers beyond the control of the licence holder can be causally linked to a specific premises and it is causing crime and disorder or a nuisance it is wrong to assume that the Act cannot address this; section 4 of the Act gives the Council a positive duty to deal with it proportionately. Whilst conditions would be inappropriate in these scenarios, the Council is strongly of the view that activities and/or operating times of an authorisation should be restricted, or an authorisation refused or revoked, where appropriate for the promotion of the licensing objectives.

7. RELEVANT EXTRACTS OF STATUTORY GUIDANCE

- 7.1 The following paragraphs from the Guidance issued by the Home Office under section 182 of the Licensing Act 2003 (April 2017 version) may be relevant to this application. This section does not prevent the sub-Committee from considering other paragraphs of the Guidance where they deem it appropriate and the determination should be based upon consideration of the full document.

1.3

The licensing objectives are:

- *The prevention of crime and disorder;*
- *Public safety;*
- *The prevention of public nuisance; and*
- *The protection of children from harm.*

1.4

Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.16

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will" is encouraged. Licence conditions:

- *must be appropriate for the promotion of the licensing objectives;*
- *must be precise and enforceable;*
- *must be unambiguous and clear in what they intend to achieve;*
- *should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;*
- *must be tailored to the individual type, location and characteristics of the premises and events concerned;*
- *should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;*
- *should not replicate offences set out in the 2003 Act or other legislation;*
- *should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);*
- *cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and*
- *should be written in a prescriptive format.*

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.

2.1

Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.14

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.

2.15

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 may 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.

2.16

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 persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.17

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.

2.18

Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.20

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, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

9.42

Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43

The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44

Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

10.8

The licensing authority may not impose any conditions unless its discretion has been exercised 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. This provision also applies to minor variations.

10.9

It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

10.10

The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

8. LICENSING OFFICER COMMENTS

- 8.1 The comments within this section of the report are provided by the licensing officer to assist the sub-committee with the interpretation of the Act, the Guidance and existing case law. It is for the sub-committee to determine what weight they attach to this advice.

Definition of 'appropriate'

- 8.2 The previous Statutory Guidance first issued in July 2004 and subsequently updated up until April 2012, specifically required Licensing Sub-Committees to ensure that their decisions were based on measures that were 'necessary'

for the promotion of the licensing objectives. This placed a burden on the licensing authority to demonstrate that no lesser steps would satisfy the promotion of the licensing objectives and any conditions imposed on a licence would only be those necessary for the promotion of the licensing objectives with no opportunity to go any further.

8.3 The revised Statutory Guidance issued on 25th April 2012 and subsequently amended in October 2012, June 2013, October 2014, March 2015 and April 2017 has amended the 'necessary' test to one of 'appropriate'. This has changed the threshold which licensing authorities must consider when determining applications by requiring that they make decisions which are 'appropriate' for the promotion of the licensing objectives.

8.4 The Guidance explains 'appropriate' as:

9.43

The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44

Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

8.5 It is anticipated that, in due course, case law will provide clarity on the meaning of 'appropriate' as referred to in paragraphs 9.42 and 9.44 of the Guidance. The sub-committee is therefore advised to give 'appropriate' its ordinary meaning, as expanded upon by paragraph 9.44 of the Guidance, subject to the over-riding requirement on all local authority decisions of reasonableness.

8.6 This approach, of allowing the courts to provide clarity, is reflected in the following paragraphs of the Guidance:

1.9

Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. This Guidance is therefore binding on all licensing authorities to that extent. However, this Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

1.10

Nothing in this Guidance should be taken as indicating that any requirement of licensing law or any other law may be overridden (including the obligations placed on any public authorities under human rights legislation). This Guidance does not in any way replace the statutory provisions of the 2003 Act or add to its scope and licensing authorities should note that interpretation of the 2003 Act is a matter for the courts. Licensing authorities and others using this Guidance must take their own professional and legal advice about its implementation.

- 8.7 The sub-Committee should also be aware that their decision must be proportionate to the evidence received in respect of the application and representation. Proportionality is a key factor in assisting with the definition of 'appropriate'.

Case law

- 8.8 As paragraph 2.16 of the Guidance confirms, public nuisance under the Licensing Act 2003 has a wide interpretation and it is for the Sub-Committee to determine, based on the evidence, whether they consider these issues to be a public nuisance.
- 8.9 The Guidance states at paragraph 2.21 that conditions relating to public nuisance beyond the vicinity of the premises are not appropriate and the Council's Statement of Licensing Policy supports that view. Conditions that it would be either impracticable or impossible for the licence holder to control would clearly be inappropriate.
- 8.10 That said, if behaviour beyond the premises can be clearly linked to a premises and it is causing a public nuisance, it is wrong to say that the Licensing Act 2003 cannot address this. Whilst conditions may well be inappropriate, if the evidence deems it necessary, times and/or activities under the licence could be restricted or, indeed, the application could be refused, suspended or revoked.
- 8.11 The magistrates court case of *Koultis v London Borough of Enfield*, 9th September 2011 considered this issue.
- 8.12 In a summary of the case provided by the Institute of Licensing it is reported that District Judge Daber considered an appeal against a decision of the local authority to restrict the hours of musical entertainment of a public house to mitigate the noise from patrons as they left the premises in response to representations from local residents. The appellant relied on the sections of the Guidance that state that "beyond the vicinity of the premises, these are matters for personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right" (para 2.24). It was also suggested that, given that certain residents were not disturbed, this did not amount to public nuisance within the meaning of para 2.19 of the Guidance as approved by Burton J in the Hope and Glory case.
- 8.13 The District Judge held that there was ample evidence of public nuisance relating to the specific premises, and that section 4 of the Act gave the licensing authority a positive duty to deal with it proportionately. In this case, no less interventionist way of dealing with the nuisance had been suggested. He held that not only was the authority not wrong, but that it was in fact right to reduce the hours as it had. The appeal was therefore dismissed.

New evidence

- 8.14 Other persons must restrict their oral submissions to the issues raised within their representations, although they can expand on the representations by way of examples, further information, etc.. They cannot raise new issues not mentioned within the written representation, for example if they have only raised issues of crime and disorder, they cannot introduce issues of public safety orally at the hearing.
- 8.15 Any new documentation not circulated in advance to all parties within the hearing paperwork cannot be introduced at the hearing or presented to the sub-committee without all party consent.

9. APPENDICES

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|-----|------------|--|
| 9.1 | Appendix A | Existing Premises licence |
| 9.2 | Appendix B | Premises licence Variation Application Form |
| 9.3 | Appendix C | Relevant representation from other persons against the application |

10. CONTACT OFFICERS

- | | | | |
|------|-----------------|-------------------|--------------|
| 10.1 | Hannah Sweetman | Licensing Officer | 01462 474231 |
|------|-----------------|-------------------|--------------|

APPENDIX

A

Licensing Act 2003
Part A
Format of premises licence

North Hertfordshire District Council Council Offices, Gernon Road, Letchworth Garden City, Hertfordshire, SG6 3JF
Original grant date: 07 September 2005 Current issue date: 21 April 2017 Authorised signatory
Premises licence number: 2523

Part 1 – premises details

Postal address of premises, or if none, ordinance survey map reference or description Three Horseshoes Willian Road, Willian, Letchworth Garden City, Hertfordshire, SG6 2AE
Where the licence is time limited the dates This licence is granted in perpetuity
Licensable activities authorised by the licence Section H: Anything of a similar description to that falling within (E), (F) or (G):(Indoors and Outdoors) Section F: Recorded Music:(Indoors) Section E: Live Music:(Indoors) Section J: Sale or Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Section H: Anything of a similar description to that falling within (E), (F) or (G):(Indoors and Outdoors)

Day	Start Time	End Time
Monday	n/a	n/a
Tuesday	n/a	n/a
Wednesday	n/a	n/a
Thursday	19:00hrs	23:30hrs
Friday	n/a	n/a
Saturday	n/a	n/a
Sunday	n/a	n/a

These hours are to apply each week of the year with the exception of:

Christmas Eve, Christmas Day, Boxing Day, The Sunday and Monday of Spring, May and August Bank Holidays, New Year's Eve, New Year's Day, Good Friday, Easter Saturday, Easter Sunday and Easter Monday.
 On these days the permitted hours will be 11:00hrs to 23:30hrs.

Section F: Recorded Music:(Indoors)

Day	Start Time	End Time
Monday	n/a	n/a
Tuesday	n/a	n/a
Wednesday	n/a	n/a
Thursday	n/a	n/a
Friday	19:00hrs	23:30hrs
Saturday	19:00hrs	23:30hrs
Sunday	n/a	n/a

These hours are to apply each week of the year with the exception of:

Christmas Eve, Christmas Day, Boxing Day, The Sunday and Monday of Spring, May and August Bank Holidays, New Year's Eve, New Year's Day, Good Friday, Easter Saturday, Easter Sunday and Easter Monday.
 On these days the permitted hours will be 11:00hrs to 23:30hrs.

Section E: Live Music:(Indoors)

Day	Start Time	End Time
Monday	n/a	n/a
Tuesday	n/a	n/a
Wednesday	n/a	n/a
Thursday	19:00hrs	23:30hrs
Friday	n/a	n/a
Saturday	n/a	n/a
Sunday	n/a	n/a

These hours are to apply each week of the year with the exception of:

Christmas Eve, Christmas Day, Boxing Day, The Sunday and Monday of Spring, May and August Bank Holidays, New Year's Eve, New Year's Day, Good Friday, Easter Saturday, Easter Sunday and Easter Monday.
 On these days the permitted hours will be 11:00hrs to 23:30hrs.

Section J: Sale or Supply of Alcohol:

Day	Start Time	End Time
Monday	10:00hrs	midnight
Tuesday	10:00hrs	midnight
Wednesday	10:00hrs	midnight
Thursday	10:00hrs	midnight
Friday	10:00hrs	01:00hrs
Saturday	10:00hrs	01:00hrs

Sunday	12:00hrs	23:00hrs
--------	----------	----------

These hours are to apply each day of the year with the exception of:
 Christmas Eve, Christmas Day, Boxing Day, The Sunday and Monday of Spring, May and August Bank Holidays, New Year's Day, Good Friday, Easter Saturday, Easter Sunday and Easter Monday.
 On these days the premises will be from 11:00hrs to 01:30hrs the following morning.

On days when major sporting and non-sporting events are held and those events take place outside of the standard permitted hours, the premises may open thirty (30) minutes before the start of the event (the due start time, kick off, etc.) and/or close thirty (30) minutes after the event (the final whistle, presentation of the cup, etc.).

The premises will retain existing New Year's Eve and New Year's Day hours, that is the permitted hours will extend from the standard terminal time on New Year's Eve until the standard starting time on New Year's Day.

The opening hours of the premises

Day	Start Time	End Time
Monday	08:00hrs	00:30hrs
Tuesday	08:00hrs	00:30hrs
Wednesday	08:00hrs	00:30hrs
Thursday	08:00hrs	00:30hrs
Friday	08:00hrs	01:30hrs
Saturday	08:00hrs	01:30hrs
Sunday	10:00hrs	23:30hrs

These hours are to apply each day of the year with the exception of:
 Christmas Eve, Christmas Day, Boxing Day, The Sunday and Monday of Spring, May and August Bank Holidays, New Year's Day, Good Friday, Easter Saturday, Easter Sunday and Easter Monday.
 On these days the premises will be from 11:00hrs to 02:00hrs the following morning.

On days when major sporting and non-sporting events are held and those events take place outside of the standard permitted hours, the premises may open thirty (30) minutes before the start of the event (the due start time, kick off, etc.) and/or close thirty (30) minutes after the event (the final whistle, presentation of the cup, etc.).

The premises will retain existing New Year's Eve and New Year's Day hours, that is the permitted hours will extend from the standard terminal time on New Year's Eve until the standard starting time on New Year's Day.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

For consumption on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of the premises licence

**Greene King Brewing and Retailing Ltd
 Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QT**

Registered number of holder, for example company number, charity number (where applicable)

5265451

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Christopher Cody

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

**Licence Number: 911
 Issuing authority: North Hertfordshire District Council**

Annex 1 – Mandatory conditions

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.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The admission of children, that is persons under eighteen (18) years of age, to the exhibition of any film shall be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC) or by the Licensing Authority.

Any one or more individuals at the premises for the purposes of carrying out a security activity (an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 applies and which is licensable conduct for the purposes of that Act) must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 (b) be entitled to carry out that activity by virtue of section 4 of that Act.

"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.

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, 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.

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).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

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.

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. 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.

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.

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.

Annex 2 – Conditions consistent with the operating schedule

The premises licence holder will ensure that staff receive adequate training in relation to the licensing objectives.

The premises licence holder will ensure that a suitable proof of age scheme, such as a PASS accredited card or photographic-id, will be used where there is any doubt that a customer has reached the age allowing him/her to lawfully purchase alcohol.

The premises licence holder will ensure that no happy hours or other similar binge-drinking promotions will be held on the premises.

The premises licence holder will ensure that adequate, suitable lighting will be maintained both internally and externally whilst the premises is open to the public.

The premises licence holder will ensure that staff pick up litter externally in the immediate vicinity of the premises on a daily basis to prevent litter nuisance.

The premises licence holder will ensure that no persons under the age of sixteen (16) years are allowed on the premises without adult supervision, including when dining or attending a private function.

Annex 3 – Conditions attached after a hearing by the licensing authority

The outside area of the premises and the function room/barn (as shown on the plan attached to the application) will not be used at any time for the provision of regulated entertainment.

The outside area of the premises will cease to be used no later than 23:00hrs every evening.

When regulated entertainment is being provided inside the premises, all doors and windows will be kept closed after 23:00hrs every evening, except to allow egress and ingress to the premises and in the event of an emergency.

Annex 4 – Plans

See attached

12 JUL 2015

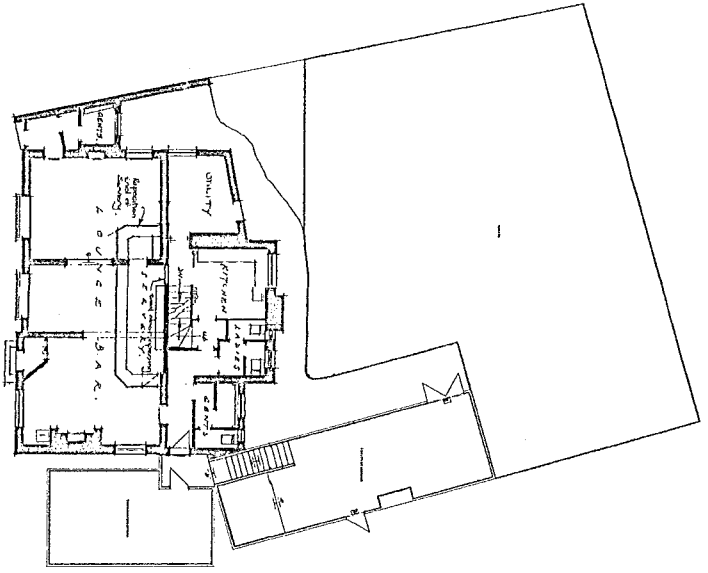
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 Document Scanning, AutoCad & Microstation Sites. cad@cadservices.co.uk

Drawing on experience

Project	THREE HORSESHOES
Drawing Title	WILLIAM
Client	GREENE KING PUB PARTNERS
License Area (m ²)	361.25
No. of Floors	20

Greene King Pub Partners
 Abbot House
 Westgate Street
 Bury St. Edmunds
 Suffolk
 IP33 1QT
 URL: www.greenekingpubs.co.uk



- 1. CORNER JOINT
- 2. WINDOW
- 3. FIRE WALL
- 4. DOOR
- 5. TOILET
- 6. URINAL
- 7. WASH HAND BASIN
- 8. SINK
- 9. FRESH AIR
- 10. EXHAUST FAN
- 11. DISTRIBUTION BOARD
- 12. FIRE ALARM CALL POINT
- 13. BELL SOUNDER
- 14. SMOKE DETECTOR
- 15. HEAT DETECTOR
- 16. FIRE BRACKET
- 17. FIRE EXTINGUISHER
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- 100. FIRE EXTINGUISHER

All dimensions to be checked on site prior to commencement of works.

Rev	Date	Approved	Drawn	Checked	Scale
0					1:100

APPENDIX

B

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

We Greene King Retailing Ltd
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 2523
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Three Horseshoes Willian Road Willian			
Post town	Hertfordshire	Postcode	SG6 2AE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£12,250

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Westgate Brewery Bury St Edmunds		
Post town	Suffolk	Postcode	IP33 1QT

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Plan

This is an application to extend the licensable area to include the external trade areas in accordance with the enclosed licensing plan.

Hours

This application also seeks to extend the sale of alcohol hours on a Friday and Saturday as follows:

- 10:00h until 02:00h (currently permitted from 10:00h until 01:00h)

As a result of the above, the opening hours are to be extended on a Friday and Saturday as follows:

- 10:00h until 02:30h (currently permitted from 10:00h until 01:30h)

Amend the non-standard timings that fall under the sale of alcohol hours as follows:

- Christmas Eve, Christmas Day, Boxing Day, The Sunday and Monday of Spring, May and August Bank Holidays, New Year's Day, Easter Sunday and Easter Monday. On these days the sale of alcohol will be permitted from 10:00h until 01:30h, save for where these days fall on a Friday or Saturday.

Amend the non-standard timings that fall under the opening hours as follows:

Christmas Eve, Christmas Day, Boxing Day, The Sunday and Monday of Spring, May and August Bank Holidays, New Year's Day, Easter Sunday and Easter Monday. On these days the sale of alcohol will be permitted from 08:00h until 02:00h, save for where these days fall on a Friday or Saturday.

Conditions

- Amend the following condition under Annex 3 which states: "The outside area of the premises will cease to be used no later than 23:00h every evening" to read: "With the exception of the designated smoking area identified on the licensing plan, the outside area of the premises will cease to be used no later than 23:00h every evening"
- Add the following conditions in order to promote the licensing objectives:
 - "The outdoor area will be monitored periodically when being used for licensable activities"

- "Signage will be displayed reminding customers to respect the neighbours and leave quietly"

All other hours, licensable activities and conditions authorised by the premises licence are to remain unaltered.

Locations of any fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plan regulations is indicative only and subject to change.

If your proposed variation would mean that 5,000 or more

people are expected to attend the premises at any one time,
please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> <u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u> <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur								
Fri								
Sat						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun								

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed					
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

1

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p>State any seasonal variations for the supply of alcohol (please read guidance note 6)</p> <p>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)</p> <p>Christmas Eve, Christmas Day, Boxing Day, The Sunday and Monday of Spring, May and August Bank Holidays, New Year's Day, Easter Sunday and Easter Monday. On these days the sale of alcohol will be permitted from 08:00h until 02:00h, save for where these days fall on a Friday or Saturday.</p>		
Mon					
Tue					
Wed					
Thur					
Fri	10:00				
Sat	10:00	02:00			
Sun		02:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon			<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</p> <p>As per the existing permissions save for the amendments sought in this application.</p>
Tue			
Wed			
Thur			
Fri	10:00		
Sat	10:00	02:30	
Sun		02:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- Amend the following condition under Annex 3 which states: "The outside area of the premises will cease to be used no later than 23:00h every evening" to read: "With the exception of the designated smoking area identified on the licensing plan, the outside area of the premises will cease to be used no later than 23:00h every evening"

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

As per the existing premises licence conditions.

b) The prevention of crime and disorder

As per the existing premises licence conditions.

c) Public safety

As per the existing premises licence conditions.

d) The prevention of public nuisance

As per the existing premises licence conditions save for the additions below:

- "With the exception of the designated smoking area identified on the licensing plan, the outside area of the premises will cease to be used no later than 23:00h every evening"
- "The outdoor area will be monitored periodically when being used for licensable activities"
- "Signage will be displayed reminding customers to respect the neighbours and leave quietly"

e) The protection of children from harm

--

Checklist:

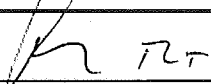
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	4/10/2017
Capacity	Solicitor to applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14) Rachel Kelly TLT Solicitors One Redcliff Street			
Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			



City of Chicago
The Department of Health
Division of Environmental Health
200 North Dearborn Street
Chicago, IL 60610
Phone: (773) 534-4400
www.cityofchicago.gov

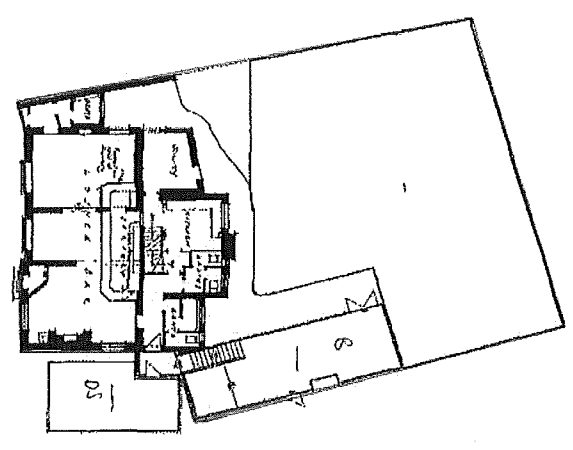
TYPE OF VIOLATION	DATE	STATUS

Greeno King Pub Parlors
 1880 North Dearborn Street
 Chicago, IL 60610
 Phone: (773) 534-4400
 Fax: (773) 534-4400
 URL: www.greenokingpub.com

GREENE KING



Item	Quantity	Unit Price	Total Price



LEGEND
 DS - designated smoking area
 B - barn / kitchen room
 R - Red line
 Area for license activation

APPENDIX

C

No cheque received

Mrs Iredale
20 Roxley Cottages
Willian
Letchworth
Sg6 2ax



Dear sir/madam

I would like to register my objection to the proposed extension of the licensing times at the Three Horseshoes pub in Willian.

My family and I have lived in the house across the road from the pub since 2006 and we have to park our cars there too as we don't have a driveway.

On a Friday, Saturday and some Sundays evenings, those leaving the pub in the early hours can be heard shouting and swearing as they stagger through the village.

They leave bottles and glasses around the outside of the pub and around the village, which my numerous flat tyres will attest to.

These individuals have vandalised our cars by punching or kicking the doors and they pulled the grill off the front on one occasion. Drunk drivers have taken our the verge protection posts and they can be seen mounting the pavements as the leave the pub in the early hours, this is not set to improve with a 2am closing time.

The music can be so loud that we have to keep the windows closed in order to sleep, this can prove a real problem in the summer.

This we have put up with as the pub was there when we moved in but an extension to 2.30am is the equivalent of a nightclub, which we didn't envision as our neighbours when we moved into this picturesque village. I understand that the pub has to work hard to stay in business and explore different business avenues to stay afloat but opening till 2am is just not the way.

If the pub has a private occasional hire for a party that runs till 2am, that they use a temporary event notice for, I can put up with it, but a regular 2.30am finish is unreasonable.

No resident wants Willian to be the place where everyone heads to on a weekend evening after all the other pubs have closed.

I hope you will consider my appeal seriously.

Yours Sincerely

A black rectangular redaction box covering the signature of Mrs Maria Iredale.

Mrs Maria Iredale

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