

NORTH HERTFORDSHIRE DISTRICT COUNCIL



21 April 2020

Our Ref Licensing and Appeals Sub-Committee
07.05.20
Contact. Committee Services
Direct Dial. (01462) 474655
Email. committee.services@north-herts.gov.uk

To: Members of the Committee: Councillor Daniel Allen, Councillor Gerald Morris, Councillor Sam North and Councillor Mike Rice

**NOTICE IS HEREBY GIVEN OF A
MEETING OF THE LICENSING AND APPEALS SUB-
COMMITTEE**

to be held in the

THIS WILL BE A VIRTUAL MEETING

On

THURSDAY, 7TH MAY, 2020 AT 2.00 PM

Yours sincerely,

Jeanette Thompson
Service Director – Legal and Community

****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION ON YOUR TABLET BEFORE ATTENDING THE MEETING****

Agenda
Part I

Item		Page
1.	HEARING PROCEDURE Procedure to be followed at the hearing	(Pages 3 - 6)
2.	APPLICATION FOR A NEW PREMISES LICENCE FOR CHICKEN GEORGE, BANCROFT, HITCHIN Application for a new premises licence to authorise the sale of alcohol and late night refreshment at Chicken George, 107a - 107b Bancroft, Hitchin, Hertfordshire	(Pages 7 - 64)



Pre-Hearing Preliminary
Committee and Member Services Manger to outline the arrangements for the remote hearing including:

Sub-committee

The sub-committee will consist of three voting Members with a fourth non-participating Member listening to the hearing. In the event that a voting Member loses connection, the hearing will adjourn until connection can be restored. If the adjournment exceeds ten (10) minutes, or it is apparent sooner that re-connection will not be possible, the fourth Member will replace the absent Member and become a voting member of the sub-committee. If a quorum of three (3) Members that have been present throughout the hearing is not possible, the hearing will be adjourned to a stated date.

Applicant

In the event that the applicant loses connection, the hearing will adjourn until connection can be restored. If it becomes apparent that re-connection will not be possible, the hearing will be adjourned to a stated date.

Other persons

In the event that an 'other person' that has indicated their wish to speak loses connection, the hearing will adjourn until connection can be restored. If it becomes apparent that re-connection will not be possible, the hearing will be adjourned to a stated date. If an 'other person' that has indicated that they will not be participating orally in the hearing loses connection, the Chair may decide to continue with the hearing.

Decision

The sub-committee will undertake their deliberations in private and return to announce their determination on the live stream however they will not wait until all parties are connected. A copy of the decision will be forwarded to all parties electronically as soon as practicable.

CHICKEN GEORGE HEARING PROCEDURE

1. Chair's Welcome

Introduction of:

- Councillors sitting on Sub-Committee
 - Legal advisor;
 - Licensing officer(s);
 - The other persons (objectors)
 - The applicant
2. The Chair will outline the procedure for the hearing and seek confirmation that all parties are content to proceed on that basis.
3. The Chair will ask the legal advisor to outline the matters for consideration during the course of the hearing.

The Licensing Officer's report

4. The Chair will ask the licensing officer if they have anything to add to their report to the sub-committee; if there has been any amendments to the hearing bundle, and if so, if all other persons, and the applicants have been made aware of the amendments.
5. The Chair will ask if there are any questions of fact of the licensing officer from:
- The other persons
 - The applicant
6. The sub-committee may ask questions of the licensing officer

The Applicant's case

7. The Chair will ask the applicant to present their submissions to the sub-committee.
8. The Chair will ask if there are any questions of fact of the applicants from:
- The other persons
9. The sub-committee may ask questions of the applicant.

Other persons submit their case

10. The Chair will ask the other persons to present their submissions to the sub-committee
11. The Chair will ask if there are any questions of fact of the other persons from:
- The applicant
12. The sub-committee may ask questions of the other persons



Closing Statements

13. The licensing officer may make final submissions to the sub-committee
14. The other persons may make final submissions to the sub-committee
15. The applicant may make final submissions to the sub-committee.

Conclusion

16. The Legal Advisor will summarise any legal points that have arisen during the hearing and will answer any legal questions from the sub-committee.
17. The sub-committee will close the hearing and retire to make a decision.
18. The sub-committee will return to the live stream and the Chair will announce the sub-committee's decision including their reasons.

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LICENSING AND APPEALS SUB-COMMITTEE 7 MAY 2020

*PART 1 – PUBLIC DOCUMENT	
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LICENSING ACT 2003

APPLICATION BY CHICKEN GEORGE (HITCHIN) LIMITED FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF CHICKEN GEORGE, 107A – 107B BANCROFT, HITCHIN, HERTFORDSHIRE, SG5 1NB.

REPORT OF THE LICENSING OFFICER
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1. BACKGROUND

- 1.1 No premises licence under the Licensing Act 2003 (“the Act”) is currently in place for the premises.

2. APPLICATION

- 2.1 The application is for the grant of a premises licence under Section 17 of the Act.
- 2.2 The licensable activities and hours originally applied for, including operating schedule conditions, are as attached as **Appendix A**.

3. APPLICATION PROCESS

- 3.1 On 10 March 2020, Chicken George (Hitchin) Limited made an application to North Hertfordshire District Council for the grant of a premises licence.
- 3.2 The prescribed consultation period was from 11 March 2020 until 7 April 2020 inclusive.
- 3.2 The application was received electronically so copies were served by the Council 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 The Comet in accordance with the requirements of the Act.

4. REPRESENTATIONS

- 4.1 No representation was received from Hertfordshire Constabulary as conditions were agreed with the applicant and now form part of the application. These conditions are included in **Appendix B**.

- 4.2 No representation was received from NHDC Environmental Protection as conditions were agreed with the applicant and now form part of the application. These conditions are included in **Appendix C**.
- 4.3 No representations were received from any other responsible authority.
- 4.4 Six (6) representations were received from 'other persons' against the application and are attached as **Appendix D**.
- 4.5 The licensing officer attempted to mediate the concerns of the other persons in light of the amendments agreed by the applicant with the police and environmental protection officers. Further relevant comments received from the other persons have been included below their original representations in italics and can be considered by the sub-committee.
- 4.6 In order to assist the sub-committee and all parties to the hearing, the revised application incorporating all amendments agreed by the applicant has been included as **Appendix E. It is the amended application in Appendix E that the sub-committee is being asked to determine.**
- 4.7 The sub-committee, if it is minded to grant the application, may amend (add to, remove, or change) the conditions agreed with the responsible authorities if it deems it appropriate to promote the licensing objectives in relation to matters raised in representations. If the sub-committee is minded to amend agreed conditions, it should be aware that the agreed conditions had satisfied the responsible authorities enabling them not to submit a representation; in the absence of the agreement, it is possible that a representation would have been received.
- 4.8 The Council's Scheme of Delegation requires the licensing officer to determine whether a representation is relevant as specified within the Act.
- 4.9 Where representations include comments that are not relevant to the Act, these comments have been clearly redacted 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 (see sections 8.14 – 8.17).**
- 4.10 Where the licensing officer has determined that the representations are relevant, it is for the sub-committee to determine what weight to apportion to each representation.
- 4.11 The applicant has been served with a copy of all representations by way of this report.
- 4.12 The applicant and the other persons making relevant representations have been invited to attend the hearing to present their cases respectively. They have been advised that they may be legally represented and of the hearing procedure.

5. OBSERVATIONS

- 5.1 In determining this application, the sub-committee must have regard to the representations 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.
- 5.3 The sub-committee has the following options when issuing the Decision Notice:
- i) Grant the application as made
 - ii) Grant the application with conditions and/or amendments to the licensable activities and/or timings (conditions should only be added where they are appropriate to promote the licensing objectives).
 - iii) Refuse the application.

6. LICENSING POLICY CONSIDERATIONS

- 6.1 The following paragraphs from the Council's Statement of Licensing Policy 2016 – 2021 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.

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.

D1.4

When determining applications the Council will have regard to this Statement of Licensing Policy, relevant legislation and any Guidance issued by the Home Office pursuant to section 182 of the Act. If relevant representations are made, the Licensing and Appeals Committee or its Sub-Committee, will balance its decision against all other factors for and against the application.

D1.5

The Council expects applicants to address the licensing objectives in their operating schedule and have due regard to this Policy. To achieve this, the Council supports the principles set out in sections 8.33 – 8.36 of the Statutory Guidance which state:

8.33

In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.34

Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives that they understand:

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to local residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and*
- *any local initiatives (for example, local crime reduction initiatives or voluntary schemes including taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.*

8.35

Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.36

It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

D1.6

Applicants should be aware that if they fail to have due regard to this Policy it is more likely that the licensing authority or responsible authorities may deem it appropriate to make a representation. If representations are made as a result of the applicants' failure to address this Policy in its operating schedule, the Licensing and Appeals Sub-Committee may take this into consideration when determining the application.

D1.8

Whilst there is no requirement for applicants to consult with the responsible authorities prior to submitting an application the Council encourages pre-application dialogue to take place.

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.

D2.4

In determining applications, the Council will focus primarily on the direct impact of the proposed activities on persons that may be adversely affected in relation to the licensing objectives. The scope of those persons that may be affected will be determined on a case by case basis taking into account all relevant factors.

D2.5

The Council acknowledges that the licensing process can only seek to impose conditions that are within the direct control of the licence holder. The Council does not consider that the term 'direct control' can be generically defined and will consider its definition relative to the specific circumstances of each application. For example, licensed premises at the end of road leading to a car park may be able to control its patrons leaving the premises and using the car park. In general terms, to be considered to be under the 'direct control' of a licence holder, there will need to be a direct causal link between the problems or likely problems and the specific premises.

D2.6

Where problems with a direct causal link to premises exist in relation to the promotion of the licensing objectives but they cannot be mitigated by the imposition of appropriate conditions, a Licensing Sub-Committee will seriously consider refusal of the application. For example, patrons from a licensed premise that are causing disorder in a town centre after leaving the premises cannot be controlled by conditions, however the problem may be resolved by the refusal of the application or revocation of the licence.

D2.8

The Council recognises that the exercise of its licensing function is only one of a number of means of securing the promotion of the licensing objectives. The exercise, by the Council, of its licensing function should not be seen as a panacea for all problems within the community. The Council will encourage co-operation between its licensing function, planning function and environmental health functions to ensure that any problems are addressed using the most appropriate means and that its licensing function does not duplicate any other statutory responsibilities.

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.*

D3.1

The Council recognises that fixed and artificially early closing times previously established under the Licensing Act 1964 were one of the main causes of rapid binge drinking prior to closing times and one of the causes of disorder and disturbance when large numbers of customers were required to leave premises simultaneously. These concentrations of people leaving can result in friction at places such as late night food outlets, taxi ranks and other sources of transport. The aim through the promotion of the licensing objectives will be to reduce the potential for concentrations and achieve a slower dispersal of people from licensed premises through flexible opening times where appropriate.

D3.2

The Council recognises that arbitrary restrictions would undermine the principle of flexibility and should be avoided; the licensing objectives will be the paramount consideration at all times. That said, if there is a proliferation of disorder and/or disturbance related to licensed premises in a specific location, for example a town centre, the Council may determine that a fixed terminal hour to mitigate the problems may be appropriate if no other control method has resolved the problem.

D3.3

Generally, when the Council's discretion is engaged, the presumption will be to grant the hours requested unless there are representations raised by responsible authorities and/or other persons that demonstrate an adverse effect or likely effect on the licensing objectives

D3.4

The Council also recognises that licensing hours should not inhibit the development of a thriving and safe evening and night time economy, which is important for local investment, employment and tourism. The Council will not seek to restrict the trading hours of any particular premises unless this is necessary to promote one or more of the licensing objectives.

D4.2

The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter which the Council can properly consider in developing its Licensing Policy Statement.

D4.3

The Council recognises that there is a difference between the commercial need and the cumulative impact of premises in an area. Commercial need is the commercial demand for other licensed premises and is a matter for planning consideration and market forces. It does not form part of this Licensing Policy Statement.

D4.4

The Council will not operate a quota of any kind, nor will it ordinarily seek to impose general limitations on trading hours in particular areas.

D4.5

In considering issues of cumulative impact the Council will be mindful that, in addition to the licensing functions, there are a number of other mechanisms, both within and outside the licensing regime, for addressing nuisance and disorder. These include, but are not limited to:

- (i) planning controls;*
- (ii) positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;*
- (iii) the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;*
- (iv) powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;*

- (v) *police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices and new powers introduced by the Anti-social Behaviour, Crime and Policing Act 2014;*
- (vi) *the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;*
- (vii) *the confiscation of alcohol from children;*
- (ix) *police and local authority powers to close down instantly for up to twenty-four hours any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance; and*
- (x) *the power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.*

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.

D6.6

The Council interprets Section L of the application form, "Hours premises are open to the public", as an integral part of the operating schedule. In assessing an application, responsible authorities and other persons are likely to read those hours as though they were part of the operating schedule and tailor their representations based on that interpretation. These hours, therefore, form conditions of the licence operating schedule and restrict the hours during which members of the public can be on the licensed premises at the conclusion of trading irrespective of whether licensable activities are taking place. Applicants are advised to consider any necessary 'drinking-up time' or wind-down period at the end of normal licensable activities when completing this section of the application.

D6.7

The Council strongly believes that a carefully considered operating schedule that fully considers the impact of the proposed activities in relation to the promotion of the licensing objectives, having regard to this Policy and the Guidance, is less likely to result in the imposition of conditions by a Licensing Sub-Committee following representations.

D6.8

It is the Council's view that the imposition of conditions should be restricted to those that are proportionate in addressing any concerns in relation to the promotion of the licensing objectives. Conditions should not be used as a tool to attempt to mitigate every possible scenario; this will serve only to place undue burden on applicants and is not consistent with the general principles of the Guidance.

D6.9

Operating schedules and licence conditions should be drafted in such a way that it is clear to licence holders exactly what is required of them and these requirements should be concise and well-worded to assist the licence holder in managing their premises. The Council is strongly of the view that the imposition of a substantial list of conditions in order to grant an application calls into question the suitability of the applicant to hold a licence. Where a Licensing Sub-Committee determines that it is appropriate to impose a substantial list of conditions to the extent that they are effectively determining the day-to-day management of the premises, they will give serious consideration to refusing the application.

E1.5.1

The Council encourages the use of CCTV recordings, with appropriate warning signage, where they would assist with the promotion of the licensing objectives.

E3.1.1

Licensed premises may have significant potential to impact adversely on communities through public nuisances that arise 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.

E3.3.1

This may include noise and disturbance from customers on the premises and customers in outdoor areas such as terraces, beer gardens and smoking areas. It will also include noise, disturbance and obstruction from customers in the vicinity of premises smoking and/or drinking and customers arriving at, leaving or queuing outside premises. Measures to prevent a public nuisance may include, but are not limited to:

- use of time restrictions on specified areas of the premises (different times can apply to different areas);*
- cessation of the use of certain areas of the premises;*
- supervision of outdoor areas, entrances and exits;*
- suitably worded, clear and prominent signage;*
- restriction of seating in outdoor areas of the premises;*
- restriction of times that drinks can be taken in specified outdoor areas of the premises;*
- restriction of the number of customers permitted in specified outdoor areas of the premises, including time.*

E3.8.1

Measures to prevent a public nuisance may include:

- entering into a waste contract agreement;*
- provision of external litter bins for customers;*
- regular litter picks in the immediate surrounding area of the premises.*

E3.8.2

The Council is aware that it would be unreasonable and disproportionate to require licence holders to be responsible for littering associated with their products when patrons have gone beyond their control. The Council will, however, expect licence holders to take responsibility for ensuring that the immediate surrounding area is regularly cleared of litter associated with their business operation.

F4.1

In order to avoid duplication with other regulatory regimes the Council will not, as far as reasonably possible, attach conditions to licences unless they are appropriate for the promotion of the licensing objectives and inadequately covered by other legislation. Ordinarily, conditions will be considered unnecessary if they are already adequately covered by other legislation.

F4.2

Notwithstanding the above, it is the responsibility of the applicants to ensure that they have all necessary consents, whether statutory or otherwise, and it should not be assumed that an authorisation under the Licensing Act 2003 removes this responsibility.

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.

F9.1

The Council is of the view that late night refreshment premises, in particular takeaways, play an important part of a vibrant late-night economy. That said, badly managed premises contribute to late night disorder and applicants should consider the potential impact of their premises in the operating schedule of an application.

F9.2

Where appropriate, for example in areas with known late-night economy disorder, the Council may impose conditions in relation to door supervision and evening litter collections. Such conditions will only be imposed, however, where appropriate for promoting the prevention of crime and disorder and/or prevention of public nuisance objectives.

O1.1

The Council accepts that it can only consider matters in relation to the four licensing objectives when determining licensing applications, however as a public body it also has a statutory duty to consider the following legislative requirements:

- (i) Crime and Disorder Act 1998
Local authorities are required to have due regard to the crime and disorder implications of any decision it makes.*
- (ii) Human Rights Act 1998
Local authorities are required to implement the Act in a manner consistent with the Human Rights Act 1998 by giving due consideration to the European Convention on Human Rights and Fundamental Freedoms.*
- (iii) Equality Act 2010
Local authorities are required to implement the Act in a manner consistent with its responsibilities to consider the equality implications of any decision it makes.*

O2.2

Any licence/certificate is issued without prejudice to any other consent, licence, approval or other authorisation required by other functions or responsibilities of the Council or any other statutory body. The possession of a licence/certificate under the Act does not supersede or replace any other statutory provision.

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 2018 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.

1.5

However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work.

They include:

- *protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;*
- *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;*
- *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;*
- *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*
- *encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.*

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

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

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).

2.3

Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.15

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.

2.16

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.

2.18

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.

2.19

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.

8.41

In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42

Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and*
- *any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.*

8.44

It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.47

Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

9.11

Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

9.12

Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area⁵. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

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. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. 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.

10.13

The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

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 When determining applications, licensing authorities must ensure that their decision is based on what is ‘appropriate’ for the promotion of the licensing objectives.
- 8.3 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.

8.4 It is anticipated that, in due course, case law will provide clarity on the meaning of 'appropriate' as referred to in paragraphs 9.43 and 9.44 of the Guidance. The sub-committee is therefore advised to give 'appropriate' its ordinary meaning, as expanded upon by paragraph 9.43 of the Guidance, subject to the over-riding requirement on all local authority decisions of reasonableness.

8.5 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.

8.6 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

8.7 As 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.

- 8.8 The Guidance states at paragraph 2.20 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.
- 8.9 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.
- 8.10 The magistrates court case of *Kouttis v London Borough of Enfield*, 9th September 2011 considered this issue.
- 8.11 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.
- 8.12 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.

Evidence not to consider

- 8.13 A number of points made in the representations have been deemed not relevant by the licensing officer. The points have been redacted and cannot be seen. The following paragraphs 8.14 to 8.17 are a summary of the redacted points which, for clarity, should not be discussed during the hearing.
- 8.14 There are comments made regarding experiences of previous businesses operating from the same premises which are not relevant. Each application should be determined on its own merits and it should not be assumed that the applicant's management team will automatically fall into the alleged bad practices of previous occupants. There is a review process available if issues subsequently arise at the premises.

- 8.15 There are numerous comments made regarding existing litter and anti-social behaviour problems in Bancroft associated with other late-night premises and the taxi rank which are not relevant. The application should be judged on its content and the sub-committee should consider whether or not they believe that the applicants can adequately promote the licensing objectives. The responsible authorities specifically responsible for litter (environmental protection) and anti-social behaviour (police) have assessed the application and are satisfied that the revised application will adequately promote the licensing objectives therefore neither authority has made a representation.
- 8.16 There was a comment comparing the proposed operating hours to businesses perceived to be operating a similar business model. This is not relevant as standard operating hours are discouraged by the Act and each application must be determined on its own merits against the licensing objectives.
- 8.17 There are comments suggesting that patrons of the venue will become drunk whilst on the premises or will be visiting the premises whilst drunk. It is an offence under the Act to serve persons that are believed to be drunk or to allow disorderly conduct on a licensed premises. The licence holder will have a duty under the Act, were a premises licence to be granted, to ensure that patrons behave in a lawful manner.

Review of a premises licence

- 8.18 Should the sub-committee be minded to grant a licence it will exist in perpetuity however there is a safeguard within the Act.
- 8.19 Any responsible authority or other person may apply to the licensing authority for the review of a premises licence if they can demonstrate that the premises are not adequately promoting the licensing objectives. In the case of other persons, they would need to demonstrate the direct impact on their household of licensable activities at the premises in terms of one or more of the licensing objectives.
- 8.20 If accepted by the licensing authority, an application for review would result in a twenty-eight (28) day consultation period advertised at the premises and on the licensing authority website where any responsible authority or other person could submit a representation.
- 8.21 A licensing sub-committee would hold a hearing to assess the representations and the oral submissions of the licence holder before considering what, if any, action was appropriate. The options available to the sub-committee would be:
- i) to take no action;
 - ii) to modify the conditions of the premises licence (modify includes adding new conditions, altering or omitting existing conditions, or altering permitted timings of licensable activities);
 - iii) to exclude a licensable activity from the premises licence;
 - iv) to remove the designated premises supervisor from the premises licence;
 - v) to suspend the premises licence for a period not exceeding three months; or
 - vi) to revoke the premises licence.

Deregulation of regulated entertainment

- 8.22 Since 6 April 2015, regulated entertainment has been deregulated between the hours of 08:00hrs and 23:00hrs for audiences of 500 or less on premises licensed for the sale of alcohol.
- 8.23 Should the sub-committee be minded to grant a licence for the sale of alcohol, live and recorded music would not require a licence between the hours of 08:00hrs and 23:00hrs during hours where the premises licence allowed it to be open to the public and the sale of alcohol was authorised.
- 8.24 Any conditions relating to regulated entertainment during the period of deregulation would not have effect.
- 8.25 Deregulation can be removed at a premises licence review whereby live and recorded music would then need to be authorised by the premises licence and any restrictions on timings or imposed conditions would apply.

9. APPENDICES

- 9.1 Appendix A Application
- 9.2 Appendix B Amendment to the application agreed with Hertfordshire Constabulary
- 9.3 Appendix C Amendment to the application agreed with NHDC Environmental Protection
- 9.4 Appendix D Representations from other persons
- 9.5 Appendix E Revised application incorporating amendments agreed with responsible authorities

10. CONTACT OFFICER

Jasmine Jennings
Licensing Officer
jasmine.jennings@north-herts.gov.uk



* required information

Section 1 of 21

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

- System reference This is the unique reference for this application generated by the system.
- Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
- Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
- Yes No

Applicant Details

- * First name
- * Family name
- * E-mail
- Main telephone number Include country code.
- Other telephone number
- Indicate here if you would prefer not to be contacted by telephone

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

Applicant Business

- Is your business registered in the UK with Companies House? Yes No
- Note: completing the Applicant Business section is optional in this form.
- Registration number
- Business name If your business is registered, use its registered name.
- VAT number Put "none" if you are not registered for VAT.
- Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Managing director of Chicken George (Hitchin) Limited

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

We are a wing bar and takeaway on Bancroft. We require an alcohol licence for the restaurant and a late night entertainment licence for music.
Half of the premises will be a takeaway with seating and the other half is a sit down restaurant with bar.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

We are planning to play recorded music in both the takeaway and restaurant as background music. The music will not be amplified.

State any seasonal variations for playing recorded music

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

On bank holidays, including the Christmas period, New Years Eve etc we may wish to operate until 03.00

In the event of a major sporting event (world cup finals etc) we may wish to operate until 03.00

Continued from previous page...

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

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

On bank holidays, including the Christmas period, New Years Eve etc we may wish to operate until 03.00

In the event of a major sporting event (world cup finals etc) we may wish to operate until 03.00

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

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

Continued from previous page...

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

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

- Indoors Outdoors Both

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

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

State any seasonal variations

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

On bank holidays, including the Christmas period, New Years Eve etc we may wish to operate until 03.00

In the event of a major sporting event (world cup finals etc) we may wish to operate until 03.00

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

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

On bank holidays, including the Christmas period, New Years Eve etc we may wish to operate until 03.00

In the event of a major sporting event (world cup finals etc) we may wish to operate until 03.00

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

Bank holidays

Continued from previous page...

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

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

On bank holidays, including the Christmas period, New Years Eve etc we may wish to operate until 03.00

In the event of a major sporting event (world cup finals etc) we may wish to operate until 03.00

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Continued from previous page...

Section 16 of 21

ADULT ENTERTAINMENT

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

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

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

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

On bank holidays, including the Christmas period, New Years Eve etc we may wish to operate until 03.00

In the event of a major sporting event (world cup finals etc) we may wish to operate until 03.00

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

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

On bank holidays, including the Christmas period, New Years Eve etc we may wish to operate until 03.00

In the event of a major sporting event (world cup finals etc) we may wish to operate until 03.00

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

The premises will comply with all statutory fire safety controls
The premises will comply with all food safety regulations
The premises will comply with all health and safety regulations
The premises will provide air conditioning and ventilation to control temperature and humidity
The licence holder will ensure there is no noise nuisance, light pollution or noxious smells or litter

b) The prevention of crime and disorder

The premises will train bar staff to check customers age for alcohol service
The premises will hold a refusal book to list any customers who have been refused service

c) Public safety

As stated above the premises will comply with all fire, food safety and health and safety regulations

d) The prevention of public nuisance

Examples of how the premises will promote the prevention of public nuisance:
Place notices at the entrances and exits to remind customers to leave quietly
The licence holder will ensure that bins and glass refuse is located at the rear of the premises and away from public access and put a bin outside the entrance of the premises
The licence holder will give customers notice of where the nearest public car park is located

e) The protection of children from harm

The licence holder will protect children from harm by protecting them from exposure to:

Continued from previous page...

strong language
sexual expletives
adult entertainment
drinking alcohol
drug taking
gambling
violence

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

Premises Licence Fees are determined by the non-domestic rateable value of the premises. See the North Herts website for more information about fees - http://www.north-herts.gov.uk/index/business/licensing/liquor_licensing/fees.htm

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

Continued from previous page...

* I/we understand it is an offence under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application. The offence is liable, on summary conviction, to a fine up to level 5 on the standard scale.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

* The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

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

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

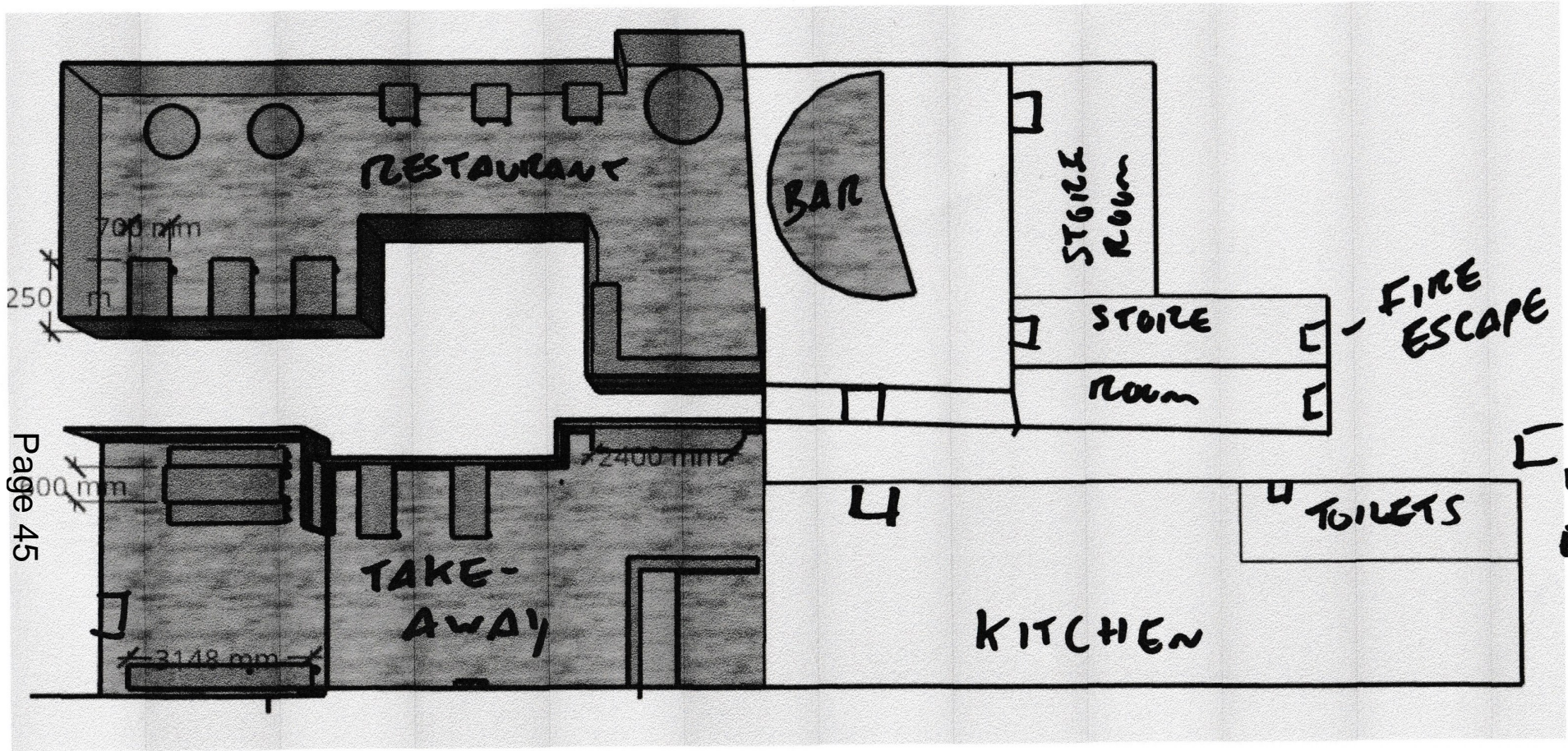
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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HERTFORDSHIRE CONSTABULARY

Dear Licensing,

I have no objections to the amended application which will incorporate below timings and conditions, as agreed by the applicant.

Regards

Kuljit

Kuljit Sangha

Mrs Kuljit Sangha

Police Licensing Officer for North Herts

Hitchin Police Station, College Road, Hitchin, SG5 1JX

Tel: [REDACTED] (office) / [REDACTED] (work mobile)

From: Dan - Chicken George [REDACTED]

Sent: 03 April 2020 12:27

To: SANGHA, Kuljit 8250 ; Licensing

Subject: Re: Chicken George, 107a-b Bancroft, Hitchin - New Premises Licence Application

Hi Kuljit

Thanks for your time this week, I agree it has been very constructive and we can't wait to open in Hitchin!

We are happy with the timings and conditions provided in your latest email.

Many thanks

Dan Simpson

Business Development Manager

Chicken George LTD

[REDACTED]

From: SANGHA, Kuljit 8250 [REDACTED]

Sent: Friday, April 3, 2020 11:28:09 AM

To: Dan - Chicken George [REDACTED] Chris Cheah [REDACTED]

[REDACTED]

Subject: Chicken George, 107a-b Bancroft, Hitchin - New Premises Licence Application

Hi Dan,

Thank you for your time over the last week to discuss the new premises licence application. I thought it was a very productive conversation and look forward to working you and Chris. As discussed, below I have proposed a number of conditions in order to alleviate any police concerns and in line with your business plan. It was a very complicated business plan that needed a bit of time to put together timings and conditions, as this wasn't offered on the application that was submitted. If you are happy to accept the timings and proposed conditions, then please send an email to myself and NHDC licensing, explaining you are happy to accept the timings and proposed conditions. For convenience I have included their email address: licensing@north-herts.gov.uk.

TAKEWAY SERVICE OPERATING HOURS:

This is to apply to the area on the plan marked as 'Takeaway'.

DAYS	LNR (Indoors Only)	Alcohol (Consumption on the Premises Only)	Opening & Closing
Monday	12:00hrs – 22:30hrs	N/A	12:00hrs – 23:00hrs
Tuesday	12:00hrs – 22:30hrs	N/A	12:00hrs – 23:00hrs
Wednesday	12:00hrs – 22:30hrs	N/A	12:00hrs – 23:00hrs
Thursday	12:00hrs – 23:00hrs	N/A	12:00hrs – 23:30hrs
Friday	12:00hrs – 23:00hrs	N/A	12:00hrs – 23:30hrs
Saturday	12:00hrs – 23:00hrs	N/A	12:00hrs – 23:30hrs
Sunday	12:00hrs – 21:30hrs	N/A	12:00hrs – 22:00hrs
All Bank Holidays	12:00hrs – 23:00hrs	N/A	12:00hrs – 23:30hrs
Christmas Period as follows: 20th Dec, 21st Dec, 22nd Dec, 23rd Dec, 27th Dec, 28th Dec, 29th Dec, 30th Dec	12:00hrs – 23:00hrs	N/A	12:00hrs – 23:30hrs
New Years Eve (31st Dec)	Not Required	Not Required	Not Required
Major Sporting Events (World Cup Finals, etc)	Not Required	Not Required	Not Required

RESTAURANT OPERATING HOURS:

This is to apply to the area on the plan marked as 'Restaurant'

DAYS	LNR (Indoors Only)	Alcohol (Consumption on the Premises Only)	Opening & Closing
Monday	12:00hrs – 23:00hrs	12:00hrs – 23:00hrs	12:00hrs – 23:30hrs
Tuesday	12:00hrs – 23:00hrs	12:00hrs – 23:00hrs	12:00hrs – 23:30hrs
Wednesday	12:00hrs – 23:00hrs	12:00hrs – 23:00hrs	12:00hrs – 23:30hrs
Thursday	12:00hrs – 00:00hrs	12:00hrs – 00:00hrs	12:00hrs – 00:30hrs
Friday	12:00hrs – 00:30hrs	12:00hrs – 00:30hrs	12:00hrs – 01:00hrs
Saturday	12:00hrs – 00:30hrs	12:00hrs – 00:30hrs	12:00hrs – 01:00hrs
Sunday	12:00hrs – 23:00hrs	12:00hrs – 23:00hrs	12:00hrs – 23:30hrs
All Bank Holidays	12:00hrs – 00:30hrs	12:00hrs – 00:30hrs	12:00hrs – 01:00hrs
Christmas Period as follows: 20th Dec, 21st Dec, 22nd Dec, 23rd Dec, 27th Dec, 28th Dec, 29th Dec, 30th Dec	12:00hrs – 00:30hrs	12:00hrs – 00:30hrs	12:00hrs – 01:00hrs
New Years Eve (31st Dec)	19:00hrs – 02:00hrs	19:00hrs – 02:00hrs	19:00hrs – 02:30hrs
Major Sporting Events (World Cup Finals, etc)	Not Required	Not Required	Not Required

Proposed Conditions:

1. DPS / Premises Licence Holder will ensure that a closed circuit television (CCTV) system is installed at the premises, maintained in full working order and will continually record at all times, both inside and outside the premises, whilst open to the public.
2. DPS / Premises Licence Holder will ensure that the CCTV cameras cover key and vulnerable parts of the premises including the entry and exit points to the premises, including any fire exits.
3. DPS / Premises Licence Holder will ensure that viewable and un-edited copies of recordings from the CCTV system will be provided to Police, no later than 24 hours after a request has been made.
4. DPS / Premises Licence Holder will ensure that all CCTV recordings will be date and time stamped and will be kept for a minimum of twenty eight (28) days.
5. DPS / Premises Licence Holder will ensure that prior to opening the premises to the public in accordance with the premises licence operating hours, the CCTV system will be checked to ensure that it is recording for a minimum of twenty eight (28) days.
6. DPS / Premises Licence Holder will ensure that a minimum of two (2) persons, namely the owner/DPS and duty manager are fully trained to access and operate the CCTV system and download copies of any footage, upon request by Police Licensing Officer, Police Officers and Police Community Support Officers. One of these persons will be at the premises at all times when the premises are open to the public.
7. DPS / Premises Licence Holder will ensure that the CCTV system is located in a safe and secure location, where it is only accessible by premises management.
8. DPS / Premises Licence Holder will nominate other persons who will deputise for the Premises Licence Holder or DPS when he/she are absent from the premises. Premises Licence Holder and/or DPS will ensure that any nominated deputy is a personal licence holder. The Premises Licence Holder / DPS will ensure that the identity of the deputy is known by all other staff at such times.
9. DPS / Premises Licence Holder will ensure that a refusals log/book is maintained and kept at the premises at all times, whether electronically or hard copy.
10. DPS / Premises Licence Holder will ensure that the refusals log/book will be made available for inspection upon request by Police Licensing Officer, Police Officers and Police Community Support Officers.
11. DPS / Premises Licence Holder will ensure that an incident book is maintained and kept at the premises at all times.
12. DPS / Premises Licence Holder will ensure that the incident book will be made available for inspection upon request by Police Licensing Officer, Police Officers and Police Community Support Officers.
13. DPS / Premises Licence Holder will ensure that customers are not permitted to leave the premises with any open vessels of alcohol.
14. DPS / Premises Licence Holder will ensure that sale of alcohol will not be for off sales.

15. DPS / Premises Licence Holder will ensure that a Challenge 25 policy is in operation at the premises at all times and signage will be displayed to inform customers that such a scheme is in operation.
16. DPS / Premises Licence Holder will ensure that no tables and chairs are placed outside the premises at any time.

Restaurant Area:

17. DPS / Premises Licence Holder will ensure sale of alcohol is for the purpose of consuming in the restaurant area only, as marked on the plan that states 'Restaurant'.
18. DPS / Premises Licence Holder will ensure sale of alcohol will only be to a person(s) seated taking a table meal in the restaurant area only, as marked on the plan that states 'Restaurant' and for consumption by such a person(s) as ancillary to their meal.
19. DPS / Premises Licence Holder will ensure that all orders for table meals, including sale of alcohol will take place at the bar in the restaurant area only, as marked on the plan that states 'Restaurant'. Once the drinks (including alcohol) orders are ready, the customer will take them to their allocated table in the restaurant area only. Once the food orders are ready, the staff will bring them over to the seated customer.

New Years Eve:

20. New Years Eve hours will apply to both the restaurant and takeaway area as marked on the plan, however during this time the DPS / Premises Licence Holder will ensure that the takeaway service will not be in operation. The New Years Eve hours are for a ticket only event. The ticket can only be purchased in advance and not at the door. There will be a guest list in place during this event.
21. On New Years Eve, the DPS / Premises Licence Holder will ensure sale of alcohol is for the purpose of consuming in the restaurant area, as marked on the plan that states 'Restaurant' and takeaway area, as marked on the plan that states 'Takeaway'
22. On New Years Eve, the DPS / Premises Licence Holder will ensure sale of alcohol will only be to a person(s) seated taking a table meal in the restaurant area, as marked on the plan that states 'Restaurant' and in the takeaway area, as marked on the plan that states 'Takeaway', for consumption by such a person(s) as ancillary to their meal.
23. On New Year, the DPS / Premises Licence Holder will ensure that all orders for table meals, including sale of alcohol will take place at the bar in the restaurant area only, as marked on the plan that states 'Restaurant'. Once the drinks (including alcohol) orders are ready, the customer will take them to their allocated table in the premises. Once the food orders are ready, the staff will bring them over to the seated customer.
24. DPS / Premises Licence Holder will ensure that on New Years Eve, a minimum of two (2) SIA approved door staff to be on duty at the premises between the hours of 19:00 hours and time of closing to the public.
25. DPS / Premises Licence Holder will ensure all SIA door staff will comply with SIA requirements relating to the wearing of SIA registration badges and availability of registration documents and/or identification for inspection.

ENVIRONMENTAL PROTECTION

Hi Sarah

Thanks for this.

Yes we are happy with the attached.

We look forward to joining the wonderful Hitchin food scene as soon as we can!

Many thanks

Dan Simpson
Business Development Manager
Chicken George LTD
[REDACTED]

From: Sarah Scotchmer
Sent: Tuesday, March 31, 2020 1:42:05 PM
To: Dan - Chicken George
Cc: Licensing
Subject: Premises License Conditions - Nuisance Condition

Hello,

Thank you for talking through your business operation with me.

I've attached a basic set of conditions that relate to controlling the noise and public nuisance issues required for the license.

If you are happy with these conditions then please reply, CC'ing in Licensing so they are notified.

As discussed the level of music after 11pm will be kept to ambient recorded music so diners are able to enjoy conversation whilst they dine. As such I do not feel that there is a requirement to include any additional conditions to control this but if complaints are received then you will be contacted by the Environmental Health team to see what action can be taken to reduce this.

Regards

Sarah Scotchmer (Miss)

Environmental Health Officer

Hello,

Thank you for talking through your business operation with me.

I've attached a basic set of conditions that relate to controlling the noise and public nuisance issues required for the license.

If you are happy with these conditions then please reply, CC'ing in Licensing so they are notified.

As discussed the level of music after 11pm will be kept to ambient recorded music so diners are able to enjoy conversation whilst they dine. As such I do not feel that there is a requirement to include any additional conditions to control this but if complaints are received then you will be contacted by the Environmental Health team to see what action can be taken to reduce this.

Regards

Sarah Scotchmer (Miss)

Environmental Health Officer

Draft Environmental Protection licence conditions for Chicken George 107a – 107B Bancroft, Hitchin, Hertfordshire

1. The Designated Premises Supervisor (DPS) or some other responsible person shall manage, where necessary, any entry queue, external areas of the premises 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. Clear and legible notices shall be displayed at all entrance and exit points and external areas of the premises requesting patrons to respect the needs of local residents and to keep the noise to a minimum.
3. All windows and external doors to the premises shall be closed at all times during regulated entertainment except for ingress, egress or in the case of an emergency.
4. The designated smoking area shall be located at a suitable location. No drinks shall be permitted in this area at any time.
6. Deliveries and waste collections relating to premises shall only take place between 08:00 and 22:00 Monday to Saturday and 10:00 and 20:00 on a Sunday.
7. No glass bottles shall be emptied into waste bins externally at the premises between 22:00 and 08:00.

CATH COLE

To whom it may concern

I am raising a grave concern about the premises licence request at the above premises. As a town centre resident, I recognise I need to put up with a certain level of noise from local bars and pubs - I have been happily living opposite The Sunrunner/Brickyard for many years without complaint - but, from experience, I know that this property is not conducive to being granted such a licence.

The premises at 107 Bancroft has caused numerous issues for myself and my neighbours over recent years and I hope you have my previous noise complaints on file. [REDACTED]

The proposal to licence these premises until 2.30am three days a week and until 11pm for the rest of the week is simply unfair to local residents and other businesses. As well as the noise, this encourages groups of people to hang around on the street after hours - causing both further noise and encouraging intoxicated fights - and, from experience, huge amount of rubbish which is simply left on the street for your Council teams to collect the next day. This doesn't even include the empty pint glasses and piles of sick that are left for us to discover the following morning.

When the premises were The Duchy Pot, doors were installed across the whole of the front of the property. Because the noise levels inside were so loud (at one point, I could feel the vibrations from the music whilst sitting on my settee) as soon as those doors were opened for people to enter or exit, that noise carried onto Bancroft, bouncing off the buildings and disturbing so many people. Also, the premises has a fire exit at the rear which staff and customers used as an unofficial smoking area - again, as soon as the door was opened, the noise was horrific.

My understanding is that this new proposal is for a takeaway food outlet and cocktail bar. I can only imagine the noise plus the crowds and rubbish on a fairly small pavement will be worse than ever. I am also concerned that people hanging around outside may gain access to our development (which is next door) and, as has happened in the past, be too drunk to find their way out and cause a further disturbance to all the neighbours.

Whilst I am a big supporter of local business, [REDACTED] I can only advise that the location is not conducive to a late night venue or one where music plays a significant role.

I would be grateful if you would acknowledge receipt of this email and advise re next steps. If you would like to attend my property for me to explain the issues in person, I would be delighted to arrange this.

Regards

Cath Cole, 1 Ransom Yard, Bancroft, Hitchin SG5 1NB [phone number redacted]

Hi Jasmine

Thanks for your prompt response. I hope you don't mind but I have copied and pasted it into our other email trail (rather than the one involving my neighbour's objection) so we have a clear e-trail.

I don't want to go back and forth forever so I will make a few final points of clarification:

- I think it is unrealistic to assume restaurant goers are going to forego their cigarette in order to enjoy their meal and therefore a smoking area is not required.
- I look forward to your feedback on the 'ambient' level of noise
- the intoxicated people I refer to are not the standard people booking an evening meal at the restaurant but the pub drinkers from other establishments who decide to use the Chicken George 'restaurant' towards the end of the night so they can still be served alcohol - albeit with a 'meal'.
- the line of people I refer to is the line for the takeaway, not for the restaurant.

In conclusion, my objection to the licence application still stands. I am very glad the new owner has a good reputation and I am generally very supportive of local business but I think the opening hours, of the restaurant in particular, are too late and should be reduced. I have provided some comparisons of other restaurants around town and feel these are more in line with the opening hours Chicken George should be granted.

Regards
Cath

On 15 Apr 2020, at 09:43, Cath Cole [email address redacted] wrote:

Hi Jasmine

Many thanks for your comprehensive response and for attaching the plan.

I write to you as I listen to the hammering and sawing that is currently going on in the proposed Chicken George premises [REDACTED] This reminds me how far noise travels in this town centre location and has renewed my passion to object to the late night licensing hours that are being proposed.

I will take your relevant points in order:

- I am glad some facilities will be put in place re: litter but I will be carefully monitoring this as don't believe one bin will suffice on a busy Friday or Saturday night. The hourly checks will certainly be needed as a minimum.
- If no location has been agreed for a smoking area, as mentioned previously, the only possible locations are the rear fire exit and the street itself - both of which will lead to the doors being left open as people ingress/egress and excessive noise from either/both location(s). Trust me, I talk from experience of previous premises.
- with regards to the doors and windows being closed at all times other than ingress/egress, I simply don't see how this will work on a balmy summer's night. The property currently has large top to bottom doors which I believe the previous owner installed and often left open in order to let diners/drinkers enjoy an 'indoor/outdoor experience'. We always knew when these were opened because the noise levels increased significantly and we saw people spilling out onto the streets (often with their drinks). What steps will be put in place to ensure this doesn't happen again?
- Your explanation of 'ambient' noise really doesn't put my mind at rest. Surely there must be some noise measure which the premises isn't able to exceed under these licensing laws?
- It's great that there has been no application for live music but, can I ask, if such an application is submitted would the neighbours who could be affected be notified so they can, again, object if needed?

These points aside, **my main objection** is that allowing a town centre, licensed 'restaurant' to be open so late will encourage late night drinkers to this part of town where many, many people live. [REDACTED]

My main concern is that people will see Chicken George as a late night drinking place where they know they only need to order a few pieces of chicken and they can continue drinking until 1am. And, given it's location, I simply don't think this is necessary for the town or fair on local residents.

[REDACTED]

Can you please explain where these people (who will likely be intoxicated) will queue? Outside the nearby residential properties causing a nuisance, I have no doubt.

I'm sorry if you think I am being a bore by labouring my objections but, from bitter experience, I really think these operating hours are too late and need to be addressed - alongside the other points raised above.

If you need clarification on anything, please let me know.

Regards

Cath

From: Cath Cole [email address redacted]

Sent: 07 April 2020 16:31

To: Jasmine Jennings [REDACTED]

Subject: Re: Licence Application - Revisions (Chicken George)

Hi Jasmine

*Many thanks for your email. I would like to confirm that I am **not withdrawing** my objection to the licence application. This is mainly based on the following points:*

- the opening hours are still too late for a licensed premises in a town centre location*
- no provision has been made for the litter that will inevitably be generated by a takeaway*
- the location of the smoking area is unclear (see below)*

[REDACTED]

I would also like to point out the following:

- [REDACTED]
- reading the table of proposed opening/closing times, it appears the restaurant is proposed to be open later than the takeaway. Is that correct?*
 - I notice the opening hours have been extended since the original notification from 11pm on Monday to Wednesday to 11.30pm. Can I ask why this is necessary so early in the week?*
 - the majority of the proposed actions your have mentioned are the standard requirements of any DPS and so are not adding any value*
 - I notice the actions suggest all windows and doors will be closed at all times other than ingress and egress. From experience, I know this is impossible with the bifold doors at the front of the premises and the fire exit at the rear and nothing in this list suggests this situation has changed.*
 - I would like to know where the smoking area will be located. If it can't be located on the street (where it will disturb neighbours) it can only be at the back (where it will also disturb neighbours).*
 - you mention in point 8 that music will be kept to an 'ambient' level. Who measures 'ambient'?*
 - Are you also confirming no live music will be allowed on the premises?*
 - points 17 and 18 make it clear alcohol can only be served to those eating a meal in the restaurant. Can you confirm there will be no separate bar area for customers to sit at?*

I look forward to receiving your response.

Regards

Cath

SARAH CANNON

To who it may concern,

I have noted that there has been a late night application for a new bar on Bancroft next to Pilates Pod. I am a resident of Ransoms yard which is directly behind this property.

I am very happy that the property should be let and developed as a business however the hours Thurs, Fri and Sat to 2.30am would be a disaster to the residents. Currently I can hear the Brickyard late at weekend but that is the other side of the road. Having the noise of drunk revellers to the early hours would be extremely disruptive. I have 2 small boys and we always sleep with our windows open slightly for ventilation as this is a warm house. Without windows open it would be unbearable in the summer and with them open we are likely to not get enough sleep.

Please can I request that this is not signed off to the early hours but they have the normal licensing hours.

Thanks
Sarah Cannon
3 Ransoms Yard
SG5 1NB

Yes we are very concerned about the proposed hours of opening and don't think having somewhere open that late on the doorstep of residential properties is on at all. I do not support the licensing at all.

*Thanks
Sent from my iPhone*

*It still looks to be open until 1 am at weekends which is far too late! I still contest
Sent from my iPhone*

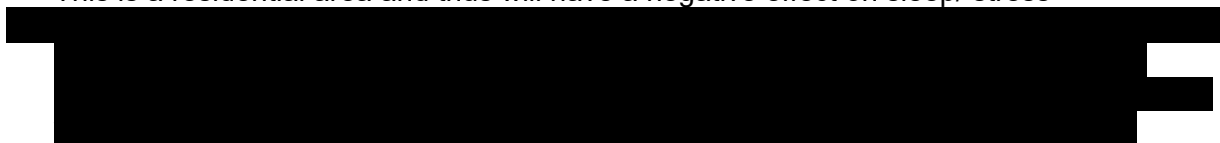
LIAM JORDAN

Hello

I am writing to register my objections to the proposed 2.30AM finish time to the entertainment licencing of 107 Bancroft (Thursday-Saturday).

The reasons are as follows

- This is a residential area and thus will have a negative effect on sleep/ stress



- The fire exit to the rear of the property when kept open [redacted] meant that the noise directly impacted residential properties
- We had no issues with the owners before the previous owners as they respected their neighbours and kept the noise to a minimum/ kept the fire exit closed

thanks for your understanding

Liam Jordan
10 Ransom Yard
SG5 1NB

Hi thanks for taking the time to respond. However this does still not alleviate my concerns

TOBY, ANNA AND ELLIS WELLER

Good morning,

Having read the Premises Licence displayed on the premises of 107 Bancroft, Hitchin, SG5 we are writing to object to the proposed hours of trading - specifically focused on Thursday through to Saturday. Remaining open after 11pm on these 3 days will have a detrimental effect on the well being of myself, my family and the neighbours who live within Ransom Yard, Bancroft, Hitchin, SG5.

Our objection is made on the basis of:

- 1) Excessive noise from within the premises; from customers entering and leaving the premises; from customers loitering by the taxi rank outside the entrance gates to our residential development
- 2) Littering and anti-social behaviour - which from experience will include discarded glasses, food packaging, unwanted food, cigarette butts, altercations and vomit

We already suffer from discarded food outside our gates and this will increase as a result of this premises regardless of the opening hours but more so late at night when patrons are waiting at the taxi rank and need to dispose of items before getting into vehicles.

However, the key issue for us will be the resulting noise levels both from the premises themselves and from outside the premises. Our small development is built around a long yard bordered by high walls which basically acts as a sound funnel for any noise emanating from Bancroft. Choosing to live in the centre of a town means you have to accept a certain amount of noise but when that noise persists past 11pm it has a greater impact on residents' lives. In this respect the channelling nature of our development not only allows the noise to travel further but it also increases the volume rather like the workings of a megaphone. We are at the furthest point from the front gates but this channelling effect means we get to hear anything beyond normal conversation level. The windows in our 16th century building don't help the situation but inevitably the increased noise levels will keep us awake at night and with the proposed hours of operation this will be beyond what is reasonable for town centre living. We speak from experience having had to live through a very similar situation with the REMIX nightclub that previously occupied what is now the much quieter and respectful Hermitage Road Bar & Restaurant.

Should you require further information please feel free to contact us,

Best wishes

Toby, Anna & Ellis Weller - 6 Ransom Yard, Bancroft, Hitchin, SG51NG

Hello Jasmine and apologies for not responding earlier. Thank you for the telephone prompt!

So I have read through the agreement outlined below [REDACTED] I would like to reiterate my earlier objection. This is on the basis of:

- 1) *Littering - food debris, food packaging, bottles, glasses and cigarette butts. Particularly notable first thing on a Sunday morning*
- 2) *Pavement Parking - with patrons parking up on the pavement to pick up takeaways or pulling up in between the taxi rank markings blocking the entrance to our development*
- 3) *Noise and Antisocial behaviour - at the entrance way to our property centred on the taxi rank outside of the entrance to our development. This obviously cannot be attributed directly to the application below but with people gathering in groups to secure a taxi it becomes a location for people to gather having excited the*

takeaway. Gatherings that the owners will be unable to govern because patrons have moved away from the entrance to the venue.

4) Noise levels - travelling down our development to reach our property which sits at the very end of the development. This is exacerbated by the sound channelling / reflecting effect of the walls of our yard and specifically in our case the poor sound blocking qualities of our historic casement windows!

It is also worth noting that from our perspective and experience:

1) There is no suitable location for a smoking area either in front or behind the venue which will not generate noise.

[REDACTED]

3) With my own school age child and other families with young children in our development the majority of points raised above have a direct correlation with the hours of business that you have detailed below.

I do not object to New Year Eve hours of operation.

Thanks very much,

Toby Weller
6 Ransom Yard, Bancroft, Hitchin, SG5 1NB

LAURA JORDAN

Hi

I would like to express my concerns regarding the late license application for 107 Bancroft.

[REDACTED]

230 am is simply not necessary for a restaurant/takeaway. Please can an earlier cut - off be applied or the alcohol licence be refused and the premises function as a takeaway.

Laura Jordan
10 Ransom Yard
SG5 1NB

On 11 Apr 2020, at 08:39, Laura Jordan [email address redacted] wrote:

Hi Jasmine,

I wish to continue to object.

The opening hours are excessive for a restaurant. Given it is a restaurant I do not see why the music has to be above ambient at anytime - it is not a bar or club.

Laura

STEPHEN BODDEY

Dear Sir/Madam

We wish to make an objection to and hence a representation to the application above for an extended license for alcohol.

[REDACTED] The area is residential as well as commercial and I believe notice should be taken of those of us who live there.

[REDACTED]
Extra street lighting has been installed but appears ineffectual.

[REDACTED]
I am willing to attend a council meeting. Could you please advise if this representation has to be made in hard copy.

Kind regards

Stephen Boddey
Merchant House, 22 Bancroft, Hitchin, Herts SG5 1 JW

From: Stephen Boddey [email address redacted]
Sent: 07 April 2020 10:59
To: Jasmine Jennings [REDACTED]
Subject: RE: Licence Application - Revisions (Chicken George)

Dear Ms Jennings,

Thank you for your reply and alterations to the proposed licensing hours and conditions. Is it possible to forward a copy of the plan you refer to in the conditions as this was not included with your email, is the designated smoking area marked on this drawing?

[REDACTED]
Exiting customers at 1-1.30am into an area [REDACTED] can only make things worse, obviously we would not object to the reasonable time of 23.00

With regards the conditions:

I would be interested to know where the designated smoking area will be such that it will not cause a nuisance. There is a door to the rooms above in the centre of the building which requires access and, whilst office use, are occupied by sensitive professional businesses who do not work standard hours. (a counsellor, noise engineers)

The entrance door is also directly in front of the taxi rank queuing point, already a bottle neck in the early hours.

A condition that deals with litter from the takeaway element should also be included. This is an ongoing problem and there are no waste bins in the area.

As a last point, the Chicken George web site is already advertising a 'Cocktail Bar' at their new Hitchin restaurant as well as a sit down restaurant and takeaway, I'm not sure what this means and how it fits within the guide lines below.

**REVISED APPLICATION FOLLOWING AMENDMENTS AGREED WITH
HERTFORDSHIRE CONSTABULARY AND NHDC ENVIRONMENTAL PROTECTION**

TAKEAWAY SERVICE OPERATING HOURS: (area on the plan marked as 'Takeaway')

DAYS	Late Night Refreshment (Indoors Only)	Sale of Alcohol (Consumption on the Premises Only)	Hours Premises Open to the Public
Monday	12:00hrs – 22:30hrs	n/a	12:00hrs – 23:00hrs
Tuesday	12:00hrs – 22:30hrs	n/a	12:00hrs – 23:00hrs
Wednesday	12:00hrs – 22:30hrs	n/a	12:00hrs – 23:00hrs
Thursday	12:00hrs – 23:00hrs	n/a	12:00hrs – 23:30hrs
Friday	12:00hrs – 23:00hrs	n/a	12:00hrs – 23:30hrs
Saturday	12:00hrs – 23:00hrs	n/a	12:00hrs – 23:30hrs
Sunday	12:00hrs – 21:30hrs	n/a	12:00hrs – 22:00hrs
All Bank Holidays	12:00hrs – 23:00hrs	n/a	12:00hrs – 23:30hrs
Christmas Period as follows: 20th Dec, 21st Dec, 22nd Dec, 23rd Dec, 27th Dec, 28th Dec, 29th Dec, 30th Dec	12:00hrs – 23:00hrs	n/a	12:00hrs – 23:30hrs
New Years Eve (31st Dec)	n/a	n/a	n/a
Major Sporting Events (World Cup Finals, etc)	n/a	n/a	n/a

RESTAURANT OPERATING HOURS: (area on the plan marked as 'Restaurant')

DAYS	Late Night Refreshment (Indoors Only)	Sale of Alcohol (Consumption on the Premises Only)	Hours Premises Open to the Public
Monday	12:00hrs – 23:00hrs	12:00hrs – 23:00hrs	12:00hrs – 23:30hrs
Tuesday	12:00hrs – 23:00hrs	12:00hrs – 23:00hrs	12:00hrs – 23:30hrs
Wednesday	12:00hrs – 23:00hrs	12:00hrs – 23:00hrs	12:00hrs – 23:30hrs
Thursday	12:00hrs – 00:00hrs	12:00hrs – 00:00hrs	12:00hrs – 00:30hrs
Friday	12:00hrs – 00:30hrs	12:00hrs – 00:30hrs	12:00hrs – 01:00hrs
Saturday	12:00hrs – 00:30hrs	12:00hrs – 00:30hrs	12:00hrs – 01:00hrs
Sunday	12:00hrs – 23:00hrs	12:00hrs – 23:00hrs	12:00hrs – 23:30hrs
All Bank Holidays	12:00hrs – 00:30hrs	12:00hrs – 00:30hrs	12:00hrs – 01:00hrs
Christmas Period as follows: 20th Dec, 21st Dec, 22nd Dec, 23rd Dec, 27th Dec, 28th Dec, 29th Dec, 30th Dec	12:00hrs – 00:30hrs	12:00hrs – 00:30hrs	12:00hrs – 01:00hrs
New Years Eve (31st Dec)	19:00hrs – 02:00hrs	19:00hrs – 02:00hrs	19:00hrs – 02:30hrs
Major Sporting Events (World Cup Finals, etc)	n/a	n/a	n/a

Operating Schedule Conditions (Prevention of crime and disorder)

1. The premises licence holder / designated premises supervisor (DPS) will ensure that a closed-circuit television (CCTV) system is installed at the premises, maintained in full working order and will continually record at all times, both inside and outside the premises, whilst open to the public.
2. The premises licence holder / designated premises supervisor (DPS) will ensure that the closed-circuit television (CCTV) cameras cover key and vulnerable parts of the premises including the entry and exit points to the premises, including any fire exits.
3. The premises licence holder / designated premises supervisor (DPS) will ensure that viewable and un-edited copies of recordings from the closed-circuit television (CCTV) system will be provided to Police, no later than twenty-four (24) hours after a request has been made.
4. The premises licence holder / designated premises supervisor (DPS) will ensure that all closed-circuit television (CCTV) recordings will be date and time stamped and will be kept for a minimum of twenty-eight (28) days.
5. The premises licence holder / designated premises supervisor (DPS) will ensure that prior to opening the premises to the public in accordance with the premises licence operating hours, the closed-circuit television (CCTV) system will be checked to ensure that it is recording for a minimum of twenty-eight (28) days.
6. The premises licence holder / designated premises supervisor (DPS) will ensure that a minimum of two (2) persons, namely the owner/DPS and duty manager, are fully trained to access and operate the closed-circuit television (CCTV) system and download copies of any footage, upon request by a police officer, police community support officer or police licensing officer. One (1) of these persons will be at the premises at all times when the premises are open to the public.
7. The premises licence holder / designated premises supervisor (DPS) will ensure that the closed-circuit television (CCTV) system is located in a safe and secure location, where it is only accessible by premises management.
8. The premises licence holder / designated premises supervisor (DPS) will nominate other persons who will deputise for the Premises Licence Holder or DPS when he/she are absent from the premises. Premises Licence Holder and/or DPS will ensure that any nominated deputy is a personal licence holder. The Premises Licence Holder / DPS will ensure that the identity of the deputy is known by all other staff at such times.
9. The premises licence holder / designated premises supervisor (DPS) will ensure that a refusals log/book is maintained and kept at the premises at all times, whether electronically or hard copy.
10. The premises licence holder / designated premises supervisor (DPS) will ensure that the refusals log/book will be made available for inspection upon request by a police officer, police community support officer or police licensing officer.
11. The premises licence holder / designated premises supervisor (DPS) will ensure that an incident book is maintained and kept at the premises at all times.

12. The premises licence holder / designated premises supervisor (DPS) will ensure that the incident book will be made available for inspection upon request by a police officer, police community support officer or police licensing officer.
13. The premises licence holder / designated premises supervisor (DPS) will ensure that customers are not permitted to leave the premises with any open vessels of alcohol.
14. The premises licence holder / designated premises supervisor (DPS) will ensure that sale of alcohol will not be for off sales.
15. The premises licence holder / designated premises supervisor (DPS) will ensure that a Challenge 25 Policy is in operation at the premises at all times and signage will be displayed to inform customers that such a scheme is in operation.
16. The premises licence holder / designated premises supervisor (DPS) will ensure that no tables and chairs are placed outside the premises at any time.

Restaurant Area:

17. The premises licence holder / designated premises supervisor (DPS) will ensure sale of alcohol is for the purpose of consuming in the restaurant area only, as marked on the plan that states 'Restaurant'.
18. The premises licence holder / designated premises supervisor (DPS) will ensure sale of alcohol will only be to a person(s) seated taking a table meal in the restaurant area only, as marked on the plan that states 'Restaurant' and for consumption by such a person(s) as ancillary to their meal.
19. The premises licence holder / designated premises supervisor (DPS) will ensure that all orders for table meals, including sale of alcohol will take place at the bar in the restaurant area only, as marked on the plan that states 'Restaurant'. Once the drinks (including alcohol) orders are ready, the customer will take them to their allocated table in the restaurant area only. Once the food orders are ready, the staff will bring them over to the seated customer.

New Year's Eve:

20. New Year's Eve hours will apply to both the restaurant and takeaway area as marked on the plan, however during this time the premises licence holder / designated premises supervisor (DPS) will ensure that the takeaway service will not be in operation. The New Year's Eve hours are for a ticket only event. The ticket can only be purchased in advance and not at the door. There will be a guest list in place during this event.
21. On New Year's Eve, the premises licence holder / designated premises supervisor (DPS) will ensure sale of alcohol is for the purpose of consuming in the restaurant area, as marked on the plan that states 'Restaurant' and takeaway area, as marked on the plan that states 'Takeaway'.
22. On New Year's Eve, the premises licence holder / designated premises supervisor (DPS) will ensure sale of alcohol will only be to a person(s) seated taking a table meal in the restaurant area, as marked on the plan that states 'Restaurant' and in the takeaway area, as marked on the plan that states 'Takeaway', for consumption by such a person(s) as ancillary to their meal.
23. On New Year, the premises licence holder / designated premises supervisor (DPS) will ensure that all orders for table meals, including sale of alcohol will take place at the bar in the restaurant area only, as marked on the plan that states 'Restaurant'. Once the drinks (including alcohol) orders are ready, the customer will take them to their allocated table in the premises.

Once the food orders are ready, the staff will bring them over to the seated customer.

24. The premises licence holder / designated premises supervisor (DPS) will ensure that on New Year's Eve, a minimum of two (2) SIA approved door staff to be on duty at the premises between the hours of 19:00hrs and the time the premises is closed to the public.
25. The premises licence holder / designated premises supervisor (DPS) will ensure all Security Industry Authority (SIA) registered door staff will comply with SIA requirements relating to the wearing of SIA registration badges and availability of registration documents and/or identification for inspection.
26. The premises licence holder / designated premises supervisor (DPS) will ensure that all staff involved in the sale of alcohol receive training, including refresher training, relating to the licensing objectives. Training records must be kept in a permanent format. (from application form)

Operating Schedule Conditions (Prevention of public nuisance)

27. The designated premises supervisor (DPS) or some other responsible person shall manage (where necessary) any entry queue, external areas of the premises 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.
28. The premises licence holder / designated premises supervisor (DPS) will ensure that clear and legible notices shall be displayed at all entrance and exit points and external areas of the premises requesting patrons to respect the needs of local residents and to keep the noise to a minimum.
29. The premises licence holder / designated premises supervisor (DPS) will ensure that all windows and external doors to the premises shall be closed at all times during regulated entertainment except for ingress, egress or in the case of an emergency.
30. The premises licence holder / designated premises supervisor (DPS) will ensure that no drinks shall be permitted in the designated smoking area at any time.
31. The premises licence holder / designated premises supervisor (DPS) will ensure that deliveries and waste collections relating to the premises shall only take place between 08:00hrs and 22:00hrs (Monday to Saturday) and 10:00hrs and 20:00hrs (Sunday).
32. The premises licence holder / designated premises supervisor (DPS) will ensure that no glass bottles shall be emptied into waste bins externally at the premises between 22:00hrs and 08:00hrs.
33. The premises licence holder / designated premises supervisor (DPS) will ensure that the premises waste bins and glass refuse are located at the rear of the premises and away from public access.
34. The premises licence holder / designated premises supervisor (DPS) will ensure that a waste bin shall be placed outside the front of the premises for customers' use. Staff will undertake hourly litter checks outside the premises where they will collect, sweep and clean any litter associated with the premises.