

3 June 2024

Our Ref Licensing Sub-Committee 6 June 2024
Contact. Committee Services
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To: Members of the Committee: Councillors Ian Albert, Keith Hoskins MBE, Tim Johnson and Steven Patmore

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

to be held in as a Virtual Meeting

VIA ZOOM

On

THURSDAY, 6TH JUNE, 2024 AT 1.00 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.	ELECTION OF A CHAIR The Sub-Committee Members will elect a Chair and determine who will be the Reserve Member.	
2.	HEARING PROCEDURE The procedure to be followed by the Chair when conducting the sub-committee hearing.	(Pages 3 - 6)
3.	DETERMINATION OF HEARING To determine the application for a TEN application at The Orange Tree PH, Norton Road, Baldock, Hertfordshire, SG7 5AW.	(Pages 7 - 38)

Pre-Hearing Preliminary

Committee and Member Services Officer 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.

Responsible authority

In the event that the responsible authority 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 the responsible authority has completed their presentation and closing statement before losing connection, the Chair may decide to continue with the hearing

THE ORANGE TREE, BALDOCK, TEMPORARY EVENT NOTICE HEARING PROCEDURE

1. Chair's Welcome

Introduction of:

- Councillors sitting on Sub-Committee
 - Legal advisor;
 - Licensing officer(s);
 - The responsible authority
 - 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 parties 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 responsible authority
 - 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 responsible authority
9. The Sub-Committee may ask questions of the applicant.

The responsible authority submit its case

10. The Chair will ask the responsible authority to present their submissions to the Sub-Committee
11. The Chair will ask if there are any questions of fact of the responsible authority from the applicant
12. The Sub-Committee may ask questions of Hertfordshire Constabulary

Closing Statements

13. The licensing officer may make final submissions to the Sub-Committee
14. The responsible authority 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. Where possible, the Sub-Committee will return and the Chair will announce the sub-Committee's decision including reasons for the decision.

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<p style="text-align: center;">LICENSING AND APPEALS SUB-COMMITTEE 06 June 2024</p>

LICENSING ACT 2003

NOTIFICATION BY MICHAEL CURTIS OF A STANDARD TEMPORARY EVENT NOTICE IN RESPECT OF THE ORANGE TREE, NORTON ROAD, BALDOCK, HERTFORDSHIRE, SG7 5AW.

REPORT OF THE LICENSING OFFICER

1. **Background**

1.1 The premises currently hold a licence which is attached as **Appendix A**.

2. **Temporary Event notice applications**

2.1 The notification is for a standard temporary event notice under section 100 of the Licensing Act 2003.

2.2 The notification is for the sale of alcohol on 8TH June 2024 and the provision of regulated entertainment. Between the hours 12 noon and 22:00pm. Live band throughout the day (finish 21:00pm) with DJ in between sessions, BBQ and 100 invited guests only.

2.3 The notification is attached as Appendix B.

3. **Notification**

3.1 On 23 of May 2024 Michael Curtis submitted a notification for a standard temporary event notice.

3.2 As Michael Curtis made his application electronically, North Hertfordshire District Council served copies of the notification to Hertfordshire Constabulary and NHDC environmental protection. There is no requirement to serve copies on any other responsible authority.

3.3 There is no requirement for public advertising of the notifications and members of the public may not submit repetitions.

4. **Representations**

4.1 Hertfordshire Constabulary and NHDC environmental protection have the ability to object to the notifications if they consider that they would undermine one or more of the four licensing objectives.

4.2 Objection notices must be received by the licensing authority no later than the end of the third working day following the day of receipt of the application.

4.3 On 29 May 2024, NHDC Environmental protection issued an objection notice under section 104 of the Licensing Act 2003 in respect of the notification. A copy of the objection notice is attached as **Appendix C**.

4.4 Michael Curtis has been served with a copy of the objection notice as part of this report.

4.5 Michael Curtis and NHDC environmental protection have been invited to attend the hearing to present their respective cases. They have been advised that they may be legally represented at the hearing.

5. Observations

5.1 In determining whether or not to issue a Counter Notice for each notification, the sub-committee must have regard to the Objection Notices and take such steps as it considers appropriate for the promotion of the licensing objectives.

5.2 The Licensing and Appeals Sub-Committee has the following options when issuing the Decision Notice:

- i) Approve the notification as made;
- ii) Refuse the notification and issue a Counter Notice preventing the notification from taking effect; or
- iii) Approve the notification and impose one or more of the conditions in existence on the current premises licence relating to the premises.

5.3 The sub-committee can only impose conditions on the notification if section 106A (2) of the Licensing Act 2003 is satisfied, which states:

106(2) The relevant licensing authority may impose one or more conditions on a standard temporary event notice if:

- (a) the authority considers it appropriate for the promotion of the licensing objectives to do so,*
- (b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises as the temporary event notice, and*
- (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.*

5.4 The licensing authority must:

- (a) in a case where it decides not to give a Counter Notice under section 105 of the Licensing Act 2003, give the premises user, Hertfordshire Constabulary and NHDC Environmental Protection notice of the decision;
- (b) in a case where it decides to issue a Counter Notice under Section 105 of the Licensing Act 2003, give the premises user, Hertfordshire Constabulary and NHDC Environmental Protection a Counter Notice and a notice stating the reasons for the decision; or
- (c) in a case where it decides not to give a Counter Notice under section 105 of the Licensing Act 2003 but impose conditions from an existing premises licence for the same premises under Section 106A of the Licensing Act 2003, give the premises user, Hertfordshire Constabulary and NHDC Environmental Protection notice of the decision and a separate statement setting out the conditions.

5.5 Any notice issued by the licensing authority under sections 105 or 106A of the Licensing Act 2003 must be given in the prescribed format and no later than twenty-four hours prior to the commencement of the event period stated in the notification.

5.6 There is a right of appeal available to all parties to the hearing which is detailed in Schedule 5 Part 3 Paragraph 16 which states:

- 16 (1) *This paragraph applies where—*
- (a) *a standard temporary event notice is given under section 100, and*
 - (b) *a relevant person gives an objection notice in accordance with section 104(2).*
- (2) *Where the relevant licensing authority gives a counter notice under section 105(3), the premises user may appeal against that decision.*
- (3) *Where that authority decides not to give such a counter notice, the relevant person may appeal against that decision.*
- (4) *An appeal under this paragraph must be made to a magistrates' court.*
- (5) *An appeal under this paragraph must be commenced by notice of appeal given by the appellant to the designated officer for the magistrates' court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.*
- (6) *But no appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.*
- (7) *On an appeal under sub-paragraph (3), the premises user is to be the respondent in addition to the licensing authority.*
- (8) *In this paragraph—*

*“objection notice” has the same meaning as in section 104;
“relevant licensing authority” has the meaning given in section 99; and
“relevant person” has the meaning given in section 99A.*

6. Licensing policy considerations

6.1 The following paragraphs from the Council's Statement of Licensing Policy 2021 - 2026 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.

D13.1

The Council encourages the use of temporary event notices for small community or infrequent events as a light touch approach to licensing. Full details of how to apply are available on the Council's website www.north-herts.gov.uk

D13.3

The vast majority of these events will not present any problems, for example special occasions in a pub or community hall or charitable fundraising events. A temporary event notice is a light-touch approach to these events and the Council expects that representations will only be made in exceptional circumstances where compelling evidence exists of the effect or likely effect on the licensing objectives.

D13.4

That said, the Council does not expect licence holders to utilise temporary event notifications as a method of avoiding restrictions imposed on an authorisation by way of conditions. The Council is aware that existing licence conditions can be transposed onto a temporary event notice where a Licensing Sub-Committee deem it appropriate based on any relevant representations.

D13.5

The Council acknowledges that licensed premises can, and often do, enter into informal arrangements with the police in order to ensure that the crime and disorder objective is met

Whilst a temporary event notice giver may offer conditions and/or commitments to mitigate any concerns arising from notification, the Council is aware that they cannot be imposed on the temporary event notice and are not enforceable.

D13.8

NHDC's Environmental Protection & Housing Team will consider an application for a temporary event notice in relation to the prevention of public nuisance licensing objective. A representation may be submitted to the licensing authority in certain circumstances, for example, where the premises that is the subject of the application has a current noise abatement notice served upon it, if there are known noise issues at the premises or if the proposed activities and timings are not appropriate for the location. Where the temporary event notice is at a premises with a current premises licence or club premises certificate, it may be appropriate to request that existing licence conditions are imposed on the temporary event notice in order to promote the prevention of public nuisance licensing objective.

D13.9

The Council is aware that a representation against a temporary event notice is subject to the same degree of evidence and/or detail as a representation against an application for a licence/certificate. If a premises is operating under good management and has not caused any problems relating to the licensing objectives, a sub-committee would need suitable evidence to demonstrate that a refusal of a temporary event notice is appropriate and proportionate, particularly when other legislative powers exist such as the serving of abatement notices.

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 the 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 the 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;*

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.

7.5

If a TEN is sent electronically via GOV. UK or the licensing authority's own facilities, the licensing authority must notify the Police and EHA as soon as possible and no later than the first working day after the TEN is given.

7.6

The Police or EHA ("relevant persons" for the purposes of TENS) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. A relevant person may also intervene by agreeing a modification of the proposed arrangements directly with the TENS user (see paragraph 7.36). If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives. The licensing authority may only otherwise intervene if the statutory permitted limits on TENS would be exceeded (see paragraphs 7.15-7.22).

7.28

If the licensing authority receives an objection notice from the Police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a "notice (statement of conditions)") and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

7.29

Premises users are not required to be on the premises during the event authorised by the TEN, but they will remain liable to prosecution for certain offences that may be committed at the premises during the period covered by it. These include, for example, the offences of the sale of alcohol to a person who is drunk; persistently selling alcohol to children and allowing disorderly conduct on licensed premises.

7.32

The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.

7.33

If the Police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the Licensing

Authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN.

7.34

Where a standard TEN was given, the Licensing Authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the Police, EHA and the premises user may make representations to the Licensing Authority. Following the hearing, the Licensing Authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings in respect of late TENs and if objections are raised by the Police or EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.

7.35 Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance – even where the statutory limits on numbers are being observed. The premises user who signs the form is legally responsible for ensuring that the numbers present do not exceed the permitted limit at any one time. In cases where there is reason to doubt that the numbers will remain within the permitted limit the premises user should make clear what the nature of the event(s) is and how they will ensure that the permitted persons limit will not be exceeded. For example, where notices are being given for TENs simultaneously on adjacent plots of land it may be appropriate for door staff to be employed with counters. In each case it is important that licensing authorities and relevant persons can consider whether they believe that the premises user intends to exceed the 499 person limit, or will be unable to control or know whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.

7.37

As noted above, the police or EHA (as "relevant persons") may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified (for example, by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration). The other relevant person has to agree for the modification to be made. There is no scope under the 2003 Act for the modification of a late TEN.

7.38

The 2003 Act provides that only the Licensing Authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The Licensing Authority can only do so:

- If the Police or the EHA have objected to the TEN;
- If that objection has not been withdrawn;
- If there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;
- And if the Licensing Authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.

7.39

This decision is one for the Licensing Authority alone, regardless of the premises user's views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations.

8. Licensing officer comments

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

Definition of 'appropriate'

- 8.2 The previous Statutory Guidance first issued in July 2004 and subsequently updated up until March 2015, specifically required Licensing Sub-Committees to ensure that their decisions were based on measures that were 'necessary' for the promotion of the licensing objectives. This placed a burden on the licensing authority to demonstrate that no lesser steps would satisfy the promotion of the licensing objectives and any conditions imposed on a licence would only be those necessary for the promotion of the licensing objectives with no opportunity to go any further.
- 8.3 The revised Statutory Guidance issued on 25th April 2012 and subsequently amended in October 2012, June 2013, March 2015, April 2017 and April 2018 has amended the 'necessary' test to one of 'appropriate'. This has changed the threshold which licensing authorities must consider when determining applications by requiring that they make decisions which are 'appropriate' for the promotion of the licensing objectives.
- 8.4 The Guidance explains 'appropriate' as:

9.43

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

9.44

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

- 8.5 It is anticipated that, in due course, case law will provide clarity on the meaning of 'appropriate' as referred to in paragraphs 9.43 and 9.44 of the Guidance. The Sub-Committee is therefore advised to give 'appropriate' its ordinary meaning, as expanded upon by paragraph 9.44 of the Guidance, subject to the over-riding requirement on all local authority decisions of reasonableness.
- 8.6 This approach, of allowing the courts to provide clarity, is reflected in the following paragraphs of the Guidance:

1.9

Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The requirement is therefore binding on all licensing authorities to that extent. However, the guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood the Guidance, they may depart from it if they have reason to do so as long as they are able to provide full reasons. Departure from the 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). The 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 the Guidance must take their own professional and legal advice about its implementation.

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

Case Law

- 8.8 As paragraph 2.15 of the Guidance confirms, public nuisance under the Licensing Act 2003 has a wide interpretation and it is for the Sub-Committee to determine, based on the evidence, whether they consider these issues to be a public nuisance.
- 8.9 The Guidance states at paragraph 2.20 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.
- 8.10 That said, if behaviour beyond the premises can be clearly linked to a premises and it is causing a public nuisance, it is wrong to say that the Licensing Act 2003 cannot address this. Whilst conditions may well be inappropriate, if the evidence deems it necessary, times and/or activities under the licence could be restricted or, indeed, the application could be refused.
- 8.11 The magistrates court case of *Kouttis v London Borough of Enfield*, 9th September 2011 considered this issue.
- 8.12 In a summary of the case provided by the Institute of Licensing it is reported that District Judge Daber considered an appeal against a decision of the local authority to restrict the hours of musical entertainment of a public house to mitigate the noise from patrons as they left the premises in response to representations from local residents. The appellant relied on the sections of the Guidance that state that "beyond the vicinity of the premises, these are matters for personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right" (para 2.38). It was also suggested that, given that certain residents were not disturbed, this did not amount to public nuisance within the meaning of para 2.33 of the Guidance as approved by Burton J in the *Hope and Glory* case.
- 8.13 The District Judge held that there was ample evidence of public nuisance, 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.
- 8.14 As this was a decision of the Magistrates Court it would not be binding on other courts, however, it could be considered as persuasive.

9. Appendices

- 9.1 Appendix A Premises licence
- 9.2 Appendix B TEN application form
- 9.3 Appendix C NHDC environmental protection representation

10. Contact officer

- 10.1 Melanie Gillespie, Licensing Officer
melanie.gillespie@north-herts.gov.uk; ext. 4253

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Licensing Act 2003

Part A

Format of premises licence

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

Original grant date: 25 August 2005
Current issue date: 05 September 2023



.....
Authorised signatory

Premises licence number: 4825

Part 1 – premises details

The Orange Tree PH
Norton Road, Baldock, Hertfordshire, SG7 5AW

This licence is granted in perpetuity

Licensable activities authorised by the licence

Section H: Anything of a similar description to that falling within (E), (F) or (G):(Indoors)
Section G: Performance of Dance:(Indoors)
Section C: Indoor Sporting Events:(Indoors)
Section A: Performance of a Play:(Indoors)
Section F: Recorded Music:(Indoors)
Section B: Exhibition of a Film:(Indoors)
Section E: Live Music:(Indoors)
Section I: Provision of Late Night Refreshments:(Indoor)
Section J: Sale or Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

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

Day	Start Time	End Time
Monday	11:00	midnight
Tuesday	11:00	midnight
Wednesday	11:00	midnight
Thursday	11:00	midnight
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	midnight

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day
On these days, the permitted hours will be 11:00hrs to 01:00hrs the following morning.

Section G: Performance of Dance:(Indoors)

Day	Start Time	End Time
Monday	11:00	midnight
Tuesday	11:00	midnight
Wednesday	11:00	midnight
Thursday	11:00	midnight
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	midnight

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day
On these days, the permitted hours will be 11:00hrs to 01:00hrs the following morning.

Section C: Indoor Sporting Events:(Indoors)

Day	Start Time	End Time
Monday	11:00	midnight
Tuesday	11:00	midnight
Wednesday	11:00	midnight
Thursday	11:00	midnight
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	midnight

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day
On these days, the permitted hours will be 11:00hrs to 01:00hrs the following morning.

Section A: Performance of a Play:(Indoors)

Day	Start Time	End Time
Monday	11:00	midnight
Tuesday	11:00	midnight
Wednesday	11:00	midnight
Thursday	11:00	midnight
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	midnight

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day
On these days, the permitted hours will be 11:00hrs to 01:00hrs the following morning.

Section F: Recorded Music:(Indoors)

Day	Start Time	End Time
Monday	11:00	midnight
Tuesday	11:00	midnight
Wednesday	11:00	midnight
Thursday	11:00	midnight
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	midnight

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day
On these days, the permitted hours will be 11:00hrs to 01:00hrs the following morning.

Section B: Exhibition of a Film:(Indoors)

Day	Start Time	End Time
Monday	11:00	midnight
Tuesday	11:00	midnight
Wednesday	11:00	midnight
Thursday	11:00	midnight
Friday	11:00	01:00

Saturday	11:00	01:00
Sunday	11:00	midnight

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day
On these days, the permitted hours will be 11:00hrs to 01:00hrs the following morning.

Section E: Live Music:(Indoors)

Day	Start Time	End Time
Monday	11:00	midnight
Tuesday	11:00	midnight
Wednesday	11:00	midnight
Thursday	11:00	midnight
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	midnight

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day
On these days, the permitted hours will be 11:00hrs to 01:00hrs the following morning.

Section I: Provision of Late Night Refreshments:(Indoor)

Day	Start Time	End Time
Monday	23:00	midnight
Tuesday	23:00	midnight
Wednesday	23:00	midnight
Thursday	23:00	midnight
Friday	23:00	01:00
Saturday	23:00	01:00
Sunday	23:00	midnight

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day
On these days, the permitted hours will be 23:00hrs to 02:00hrs the following morning.

On the morning on which British Summer Time begins, where the terminal hour is later than 01:00hrs, the terminal hour shall be extended by one hour.

On New Years Eve, the hours shall be extended from the standard permitted terminal hour on New Years Eve to the start of the permitted hours on New Years Day.

In the event of an International or National sporting event which falls outside of the standard permitted hours, the permitted hours shall commence one hour prior to the start of the event

and terminate one hour after the finish of the event.

Section J: Sale or Supply of Alcohol

Day	Start Time	End Time
Monday	10:00	midnight
Tuesday	10:00	midnight
Wednesday	10:00	midnight
Thursday	10:00	midnight
Friday	10:00	01:00
Saturday	10:00	01:00
Sunday	12:00	midnight

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day

On these days, the permitted hours will be 10:00hrs to 02:00hrs the following morning.

On the morning on which British Summer Time begins, where the terminal hour is later than 01:00hrs, the terminal hour shall be extended by one hour.

On New Years Eve, the hours shall be extended from the standard permitted terminal hour on New Years Eve to the start of the permitted hours on New Years Day.

In the event of an International or National sporting event which falls outside of the standard permitted hours, the permitted hours shall commence one hour prior to the start of the event and terminate one hour after the finish of the event.

The opening hours of the premises

Day	Start Time	End Time
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	01:30
Saturday	10:00	01:30
Sunday	12:00	00:30

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

Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, All publicly declared holidays including the day preceding a Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patricks Day and St Georges Day

On these days, the permitted hours will be 08:00hrs to 02:30hrs the following morning.

On the morning on which British Summer Time begins, where the terminal hour is later than 01:00hrs, the terminal hour shall be extended by one hour.

On New Years Eve, the hours shall be extended from the standard permitted terminal hour on New Years Eve to the start of the permitted hours on New Years Day.

In the event of an International or National sporting event which falls outside of the standard permitted hours, the permitted hours shall commence one hour prior to the start of the event and terminate one hour after the finish of the event.

For consumption on and off the premises

Part 2

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

**Greene King Retailing Limited
Abbot House Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QW
licensing@greeneking.co.uk**

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

5265451

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

**Robert Francis Scahill
Orange Tree Inn, Norton road, Baldock, Hertfordshire, SG7 5AW**

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

**Licence Number: 1310
Issuing authority: North Hertfordshire District Council**

Annex 1 – Mandatory conditions

No supply of alcohol may be made under this licence:

- (a) at a time when there is no designated premises supervisor in respect of the premises licence; or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

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

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

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

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

The responsible person must ensure that staff on relevant premises do not carry out, arrange, or participate in any irresponsible promotions in relation to the premises. In this condition, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise).
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted price to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
- (c) provision of free or discounted alcohol, or any other thing, as a prize to encourage or reward the purchase and consumption of alcohol over a period of twenty-four (24) hours or less in a manner which carries a significant risk of undermining a licensing objective.
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than when that other person is unable to drink without assistance by reason of a disability).

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

The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under eighteen (18) years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and either:

- (i) a holographic mark; or
- (ii) an ultraviolet feature.

The responsible person must ensure that:

(a) where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcohol drinks sold or supplied having been made up in advance ready for sale or supply in securely closed containers) it is available to customers in the following measures:

- (i) beer or cider: half pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not, in relation to a sale of alcohol, specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. In this condition:

(a) permitted price is the price found by applying the formula $P = D + (D \times V)$ where:

- (i) P is the permitted price;
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol.

(b) duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(c) relevant person means, in relation to premises in respect of which there is in force a premises licence:

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in capacity which enable the member or officer to prevent the supply in question; and

(e) value added tax means value added tax charged in accordance with the Value Added Tax Act 1994. Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. Where the permitted price on a day (the first day) would be different from the permitted price on the next day (the second day) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of fourteen (14) days beginning on the second day.

Annex 2 – Conditions consistent with the operating schedule

All staff will be trained in the promotion of the licensing objectives, in particular in respect of the prevention of, underage drinking, drunkenness, the use of drugs, violent and antisocial behaviour on the premises, and protecting children from harm

A proof of age scheme will be in place and used at the premises to ensure no underage drinking; only photographic ID will be acceptable.

The designated premises supervisor, or a nominated deputy, will be a member of any local Pub Watch, where one exists.

Toughened glassware will be used throughout the premises.

The designated premises supervisor, or a nominate deputy, will undertake regular visits to all parts of the premises, including the exterior and during deliveries outside of opening hours, to ensure the promotion of this licensing objective

The designated premises supervisor, or a nominated deputy, will actively manage patrons and staff, including their vehicular traffic, arriving and leaving the premises to ensure the promotion of this licensing objective

The designated premises supervisor, or a nominated deputy, will ensure that litter originating from the premises is regularly cleared from the immediate vicinity of the premises.

Effective ventilation systems will be installed and used at the premises to prevent nuisance from odour.

Children under the age of sixteen (16) years must be accompanied on the premises by an adult at all times.

(a) A suitable environmental noise control device shall be installed in the premises, calibrated and set to the satisfaction of an Environmental Health Officer of North Hertfordshire District Council.

(b) The device must be set at an appropriate time in the presence of an Officer of the Environmental Protection Team at North Hertfordshire District Council.

(c) No amplified live or recorded music constituting regulated entertainment shall take place in the function room until this device has been installed and set in accordance with this condition.

(d) Once the environmental noise control device has been installed, calibrated and set to the satisfaction of an Environmental Health Officer of North Hertfordshire District Council it must not be removed, adjusted or replaced without twenty-eight (28) days prior notification to an Environmental Health Officer of North Hertfordshire District Council and without the written consent that the removal, adjustment or replacement of the device is permitted and that documentation stating this is received from an Environmental Health Officer of North Hertfordshire District Council.

(e) Following the receipt of the documentation stated above, all the requirements of the Environmental Health Officer of North Hertfordshire District Council must be carried out. Such works may include, for example, an acoustic consultant noise survey, sound insulation works, the calibration and setting of the environmental noise control device in the presence of an Officer of the Environmental Protection Team who will set the levels in line with the licensing objective 'the prevention of public nuisance'.

(f) Use of all noise equipment in the function room for amplified live or recorded music constituting regulated entertainment is not permitted until such a time that the premises licence holder has received confirmation from the Environmental Health Officer of North Hertfordshire District Council that it is permitted.

(g) In the event of malfunction of the environmental noise control device, the Environmental Protection Team shall be notified within two (2) working days of the problem and the remedial action proposed. No amplified live or recorded music constituting regulated entertainment shall take place in the function room until the environmental noise control device is properly functioning and the Environmental Protection Team has received the necessary documentation confirming this.

(h) The environmental noise control device will be regularly serviced and maintained to ensure that the noise produced within the premises will not exceed the limit agreed by the Environmental Health Officer of North Hertfordshire District Council.

(i) The environmental noise control device must be permanently maintained at the settings/levels agreed by the Environmental Health Officer of North Hertfordshire District Council.

(j) The environmental noise control device shall be secured with a robust lockable case or similar to prevent unauthorised access to and tampering with the controls.

(k) All noise equipment used for amplified live and recorded music constituting regulated entertainment in the function room must be routed through the environmental noise control device and this device must be used during such licensable activities.

Live and recorded music constituting regulated entertainment shall only take place at the premises until 23:00hrs Sunday-Thursday and until midnight Friday-Saturday, with the exception of the function room.

Live and recorded music constituting regulated entertainment shall only be permitted to take place on a maximum of four (4) occasions per week.

The concertina doors to the function room shall be closed from 23:00hrs every evening.

The concertina doors to the function room shall be permitted to remain open for one(1) event of live or recorded music constituting regulated entertainment per calendar month prior to 20:00hrs. At all other times during live and recorded music, they must remain closed.

Deliveries and waste collections relating to premises shall only take place between 07:00hrs and 20:00hrs, Monday to Sunday.

No glass bottles shall be emptied into the waste bins at the premises between 23:00hrs and 09:00hrs, Monday to Sunday.

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

There should be no more than six (6) events of live music or recorded music sessions in the outside area, including the marquee. **[Section 177A of the Licensing Act 2003 does not apply to this condition]**

This condition does not take effect until after any period of Covid-19 restrictions affecting the premises has ended and normal trading has commenced.

The installed sound limiter in the marquee needs to be commissioned and agreed with North Hertfordshire District Council Environment Health/Environmental Protection prior to any outside events taking place. **[Section 177A of the Licensing Act 2003 does not apply to this condition]**

The designated premises supervisor (DPS)/ manager will draw up and implement an entertainment management plan (the plan). The plan will set out what measures will be in place to ensure that entertainment (including quizzes) will not cause a public nuisance to residents in the immediate vicinity of the premises. The plan will be implemented in full during entertainment

held at the premises. The plan will be revisited periodically and amended to reflect changes in the law and where entertainment will be held and will take into account any best practice or advice provided by the Council Environmental Protection Officer from time to time. The plan will be disseminated to all staff required to implement it and will be made available to responsible authorities on request.

A complaints log (the log) will be maintained and any complaints from residents shall be recorded in it. As a minimum, the information recorded shall include: Date and time of the complaint, name of complainant if known, name of person recording the complaint and any action taken thereafter in relation to it.

There will be no quizzes undertaken in the outside area or marquee at any time.

Conditions to only apply during any period of Covid-19 restrictions affecting the premises (to fall away automatically on the resumption of normal trading under Licensing Act 2003)

(a) No live or recorded music events (where music is provided above background level) will be permitted in the marquee and outside area until such time as the Environmental Protection Officer has signed off on agreed maximum levels for music, as measured from a hand-held decibel meter used by the DPS or manager, taken at various agreed points around the perimeter of the premises. Records of the checks being taken at the start of each live or recorded music event in the marquee will be kept and made available to the Environmental Protection Officer on request (including any adjustments to ensure the levels remain at or under the maximum). [Section 177A of the Licensing Act 2003 does not apply to this condition]

(b) No more than two (2) live music and/ or recorded music sessions (excluding background music) shall take place in the marquee each week (Sunday to Saturday). No more than one (1) spoken word event with ancillary music will be held in the marquee each week (Sunday to Saturday). [Section 177A of the Licensing Act 2003 does not apply to this condition]

There shall be placed at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring the customers to leave the premises and the area quietly.

The outside area of the premises (comprising the play area, patio, outside drinking area and games area as annotated on licence plan OT-1103-LP01) will be closed to the public no later than 23:00hrs every evening, save for the designated smoking area marked on the plan.

The outside area of the premises as annotated on licence plan OT-1103-LP01 as 'car park' will be closed to the public no later than 23:00hrs every evening, save for direct ingress to and egress from the premises.

All external lighting which is used in the normal course of the business to illuminate the beer garden alone shall be switched off no later than 23:00hrs every evening. All remaining external lighting shall be positioned such that it does not become intrusive to nearby neighbours.

The designated smoking area will remain open until closing time each evening but with no more than fifteen (15) persons occupying it at any one time after 23:00hrs.

There shall be notices placed in the designated smoking area requiring patrons to respect the needs of the neighbours and remain quiet at all times.

The designated premises supervisor, or a nominated deputy, shall actively manage the designated smoking area after 23:00hrs each evening to ensure compliance with the licensing objectives.

The premises licence holder shall ensure that there shall be no entry or re-entry to the premises after midnight.

The premises licence holder shall ensure that there shall be no external regulated entertainment.

The premises licence holder shall ensure that there shall be no karaoke at the premises.

No later than ten (10) working days prior to an International or National sporting event which falls outside of the standard permitted hours, the premises licence holder shall contact the Licensing Authority to seek approval that the sporting event falls within the terms of the premises licence.

Annex 4 – Plans

See attached



* required information

Section 1 of 9

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

Not Currently In Use

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?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Michael

* Family name

Curtis

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

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

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 9

APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

- Yes No

* Your date of birth / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

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

- Yes No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

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

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

Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

Yes No

Address

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

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

Yes No

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

* Premises licence number

Location Details

* Provide further details about the location of the event

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Public House and Garden

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

60th Birthday Party with Live Band (to finish at 9pm) and BBQ. Strictly Invited Guests only.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol

- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

- The provision of regulated entertainment

- The provision of late night refreshment

- The giving of a late temporary event notice

[\(See also guidance on completing the form, note 7\).](#)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

([see also guidance on completing the form, note 9](#))

Event start date

08	/	06	/	2024
dd		mm		yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

08	/	06	/	2024
dd		mm		yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

12 noon - 22.00pm

[\(see also guidance on completing the form, note 10\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

100

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
 Off the premises only
 Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

The Dirty Half Hundred will be playing throughout the day, with a DJ in between sessions

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?

- Yes No

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

- Yes No

Continued from previous page...

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.
This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.
- 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	<input type="text" value="Mick Curtis"/>
* Capacity	<input type="text" value="Organiser"/>
* Date	<input type="text" value="22"/> / <input type="text" value="05"/> / <input type="text" value="2024"/>
	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/temporary-event-notice/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.

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"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

Subject: TEN Application, The Orange Tree PH, Norton Road, Baldock

Case Reference: LC/17569

Objection received.

Introduction:

Dear Licensing,

Further to the application for a Temporary Event Notice at the Orange Tree PH, Norton Road, Baldock I object to the application at this stage.

Areas of Concern:

The Premises in question has a number of outstanding in relation to the management of external music events (held in the marquee in the beer garden) which were placed on the Premises License at a hearing in 2021.

I am of the opinion that these conditions need addressing before any further events are held at the premises as the neighbouring residents are being affected by noise.

The conditions placed on the premises license at the hearing in 2021 were an attempt to place some controls on the use of the external area for music events. This control is circumvented by the TEN process and whilst one TEN was granted earlier this year, I object to this one to ensure that the spirit of the license conditions, and, therefore, the licensing objectives, are upheld.

Objection submitted by Officer: Alan Stone Senior Environmental Health Officer

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