

LICENSING SUB-COMMITTEE
Monday 5th October 2026

LICENSING ACT 2003

**APPLICATION BY CLERK OF OFFLEY PARISH CENTRE
FOR THE REVIEW OF A PREMISES LICENCE IN RESPECT OF
THE BARN, LOWER ROAD, TEA GREEN, LUTON, HERTFORDSHIRE, LU2 8PS**

REPORT OF THE LICENSING OFFICER

1. BACKGROUND

- 1.1 The existing premises licence was varied by the licensing authority on 13 May 2015.
- 1.2 The current premises licence is attached as **Appendix A**.

2. REVIEW APPLICATION

- 2.1 The application is for a review of a premises licence following a request from an Other Person under Section 51 of the Licensing Act 2003 ("the Act").
- 2.2 On 5 August 2026, the licensing authority received an application for the review of the premises licence from the Clerk of Offley Parish Council on the grounds stated below:

A diary of noise and disturbance levels has been sent to Alan Stone – Environmental at NHC.

The disturbance is every time the venue has a function which is either a Friday, Saturday and or a Sunday.

The venue capacity is set at max 200 guests albeit there is little or no car park as this has never been complete to allow 69 cars to park on site. There is a very small entrance and exit which only allows one car to pass through at a time. The staff all park on the road (lower road) as do the guests who cannot or will not enter the venue car park. Fireworks are being let off within the car park and on the surrounding village green Which is also a parking area despite signs stating NO PARKING ON THE VILLAGE GREEN.

There have been two reported sightings of a Drone emanating from the venue. These have been reported to the police authority.

Noise levels before during and after the any event. Some time very late into the night past 1.00am

Bad and inconsiderate parking on the street often blocking resident's driveways.

Parking on the village green and grass verges.

Two drone sightings."

2.3 The application specifies the following licensing objectives:

- The prevention of public nuisance
- Public safety
- The prevention of crime and disorder

Once an application for review has been made representations can be made for any of the four licensing objectives.

2.4 As required by the Act, the licensing authority displayed notices of the review at the premises in accordance with the prescribed regulations. The application was also published on the Council's website on the Licensing Register.

2.5 The application for a review is attached as **Appendix B**.

3. CONSULTATION PROCESS

3.1 On 5 August 2026, the licensing authority received an application for a review of the premises licence from an Other Person.

3.2 As the application was served electronically, the licensing authority served notice of the application to the premises licence holder and the responsible authorities.

3.3 Public notices were displayed on the premises for a period of twenty-eight (28) consecutive days between 6 August 2026 and 2 September 2026 in accordance with the requirements of the Act. Officers visited the premises periodically to ensure that the notices were continually displayed.

3.4 A newspaper advertisement is not required by the Act for an application for a review.

3.5 On 9 September 2026, a follow up email was sent to the Other Person requesting any supporting evidence to be provided. The response included only the original submission statement.

3.6 On 16 September 2026 the date for the hearing was revised due to availability of attendees and was subsequently agreed to be held on 5 October 2026.

4. REPRESENTATIONS

4.1 No representations were received from any responsible authority.

4.2 The applicant for the review and the premises licence holder 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.

4.2 This report and all appendices have been published on the Council's website and all hearing invitations required to satisfy paragraph 4.2 above have included a link to the relevant web page.

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) to take no action;
 - ii) to modify the conditions of the premises licence (modify includes adding new conditions, altering or omitting existing conditions, removing live and recorded music deregulation, 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.
- 5.4 National Guidance Section 11.20 states:
- "In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review."*
- 5.5 The applicant for the review and / or the premises licence holder may appeal the decision made by the Sub-Committee to the Magistrates Court. Any appeal must be made within 21 days from the date that appellant is notified, in writing, by the Licensing Authority of the decision to be appealed against.
- 5.6 The hearing determination will not take effect until the end of the period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of or withdrawn.

6. LICENSING POLICY CONSIDERATIONS

- 6.1 The following paragraphs from the Council's Statement of Licensing Policy 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:
- 6.2 Paragraph B6
Our vision is:

To ensure that North Hertfordshire continues to offer a diverse range of well managed licensed venues and community and cultural activities within a safe and enjoyable environment, in both the daytime and night-time economy.

6.3 Paragraph 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.

6.4 Paragraph 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**.

6.5 Paragraph 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.

6.6 Paragraph 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.

6.7 Paragraph 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.

6.8 Paragraph 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.

6.9 Paragraph 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.

6.10 Paragraph E2.1

The Council recognises that the public safety objective is concerned with the physical safety of the people using the relevant premises and not with public health, which is dealt with in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.

6.11 Paragraph 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.**

6.12 Paragraph E3.1.4

The Council recognises that conditions relating to noise nuisance may not be appropriate in certain circumstances where the provisions of other legislation (for example, the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005) adequately protect those living in the areas surrounding the premises. That said, the approach of the Council will be one of

prevention and it will consider each application on its own merits, having due regard to the avoidance of duplication balanced against the effectiveness or otherwise of the other legislative provisions.

6.13 Paragraph E3.2.1

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

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

6.13 Paragraph E3.2.4

The Council is aware that entertainment has been deregulated between the hours of 08:00hrs and 23:00hrs on licensed premises under certain circumstances (see section 16 of the National Guidance). There is a safeguard that, at a review hearing, the deregulation can be removed by a licensing sub-committee if they deem it appropriate in order that entertainment can then be controlled through restrictions of hours or addition of licence conditions.

6.14 Paragraph E3.2.5

A licensing sub-committee will not impose restrictions or licence conditions on a licence/certificate that relate to deregulated entertainment in order that they can automatically apply if deregulation is subsequently removed. At a review hearing where it is decided to remove deregulation, the licensing sub-committee should tailor any restrictions and/or conditions based on the evidence submitted to them at that time.

6.15 Paragraph 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.

6.16 Paragraph E3.9.1

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

6.17 Paragraph E3.9.3

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

6.18 Paragraph 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.

6.19 Paragraph 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.

6.20 Paragraph 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.

6.21 Paragraph 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.

6.22 Paragraph 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 (September 2026 version) may be relevant to this application. This section does not prevent the sub-committee from considering other paragraphs of the Guidance where it deems it appropriate and the determination should be based upon consideration of the full document:

7.2 Paragraph 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.

7.3 Paragraph 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.

7.4 Paragraph 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.

7.5 Paragraph 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;
- 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.

7.6 Paragraph 1.17

Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

7.7 Paragraph 2.20

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.**

7.8 Paragraph 2.21

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.

- 7.9 Paragraph 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.
- 7.10 Paragraph 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.
- 7.11 Paragraph 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 any 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.
- 7.12 Paragraph 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.
- 7.13 Paragraph 10.9
It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.
- 7.14 Paragraph 11.19
Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
• modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;

- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

7.15 Paragraph 11.20

In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

7.16 Paragraph 16.55

On a review of a premises licence or club premises certificate, section 177A(3) of the 2003 Act permits a licensing authority to lift the suspension(4) and give renewed effect to an existing condition relating to music. Similarly, under section 177A(4), a licensing authority may add a condition relating to music as if music were regulated entertainment, and as if that premises licence or club premises certificate licensed the music. In both instances the condition should include a statement that Section 177A does not apply to the condition.

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.

Case law

- 8.2 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.
- 8.3 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.
- 8.4 Whilst conditions may be inappropriate, where the evidence demonstrates that action is appropriate, licensable activities or hours may be restricted, or the premises licence may be suspended or revoked.
- 8.5 The magistrates court case of *Kouttis v London Borough of Enfield*, 9th September 2011 considered this issue.
- 8.6 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.

- 8.7 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 for consideration – relevance and weight of matters raised

Parking

- 8.8 Existing legislation provides separate mechanisms for addressing many parking matters, including enforcement by civil enforcement officers where a traffic regulation order applies, and by the police where vehicles cause obstruction of the highway.
- 8.9 The sub-committee should distinguish general parking-enforcement and highway matters from any evidenced nuisance, obstruction, crime or disorder directly linked to customers attending or leaving the premises
- 8.10 If the sub-committee were to consider parking, it would have to assess whether any proposed measure would be within the licensee’s control, appropriate and proportionate.

Noise

- 8.11 Reference was made to noise reports concerning loud music and disturbance which were sent to Environmental Health. Those documents have not been provided as part of the review papers and are therefore not evidence presently before the sub-committee. The sub-committee may nevertheless consider the applicant’s account and any admissible evidence given at the hearing, assigning it such weight as it considers appropriate.
- 8.12 The allegations of loud music, disturbance associated with customers arriving at and leaving the premises, and noise continuing beyond 1.00 a.m. can engage the prevention of public nuisance objective. The weight to be given to those allegations will depend on the evidence presented, including the frequency, duration, timing and location of the disturbance, its relationship to licensable activities and the effectiveness of the existing licence conditions.

- 8.13 No representation was received from Environmental Health. The sub-committee may take this into account but must determine the review on the evidence before it.

Drones

- 8.14 Reference was made to two drone sightings said to have been reported to the police. No supporting material concerning those reports is included in the review submission. The allegation is relevant only to the extent that the sub-committee is satisfied that the drone activity was connected with the operation of the premises and adversely affected one or more licensing objectives.

- 8.15 No representation was received from the Police.

Fireworks

- 8.16 Reference was made to the use of fireworks being discharged at the premises and on the village green, but no supporting material is included in the review papers. The matter is relevant only to the extent that the sub-committee is satisfied that it was connected with the operation of the premises and caused, or risked causing, public nuisance, danger to public safety, crime or disorder.

- 8.17 The Fire Authority have not submitted a representation for this review.

Venue Capacity and access

- 8.18 The references to venue capacity, parking capacity and the width of the access do not, without more, establish a breach of the public safety objective. They may be relevant only where evidence demonstrates a direct safety risk arising from the operation of the licensed premises. Matters governed adequately by planning, highways, building control or fire-safety legislation should not be duplicated through licensing controls.

9. EQUALITY AND HUMAN RIGHTS IMPLICATIONS

- 9.1 There are no equality or human rights implications arising directly from this report. The Licensing Act 2003, its regulations, Section 182 Guidance and the Council's own Licensing Policy set out the approach to ensure that all interested parties' rights are met.

10. BACKGROUND PAPERS

- 10.1 The Licensing Act 2003 and its regulations: [Licensing Act 2003 & Regulations](#)
- 10.2 The Home Office's Section 182 Guidance: [Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK](#)

- 10.3 North Herts Council Statement of Licensing Policy: [Statement of Licensing Policy | North Herts Council](#)

11. APPENDICES

- 11.1 Appendix A Current premises licence
- 11.2 Appendix B Application for the review

12. CONTACT OFFICER

- 12.1 Jasmine Jennings
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