



## Decision Notice

Date of Hearing	Thursday 18 April 2019																
Members of Panel	Councillors E. Dennis-Harburg, M. Muir and M. Rice																
Licence Holder	Sausage and Gobbler Productions Limited																
Premises Address	Todd in the Hole, Bury Wood, Todds Green, Stevenage, SG1 2JE																
Date of Application	26 February 2019																
<b>DECISION</b>	<p>This is an application for a variation of an existing premises licence under Section 34 of the Licensing Act 2003.</p> <p>The Sub-Committee has read the material presented to it and has listened to all the evidence and submissions. The Sub-Committee has considered the National Guidance and the Statement of Licensing Policy and has come to the following decision:</p> <p><b>The Sub-Committee has decided to grant the application subject to the timings and conditions below.</b></p>																
<b>LICENSABLE ACTIVITIES AND TIMINGS</b>	<p>The premises licence is amended to include the following licensable activities and timings</p> <p><u>RECORDED MUSIC (Outdoors)</u></p> <table border="1"> <tr> <td>Friday</td> <td>12:00hrs to 01:00hrs the following morning</td> </tr> <tr> <td>Saturday</td> <td>11:00hrs to 01:00hrs the following morning</td> </tr> <tr> <td>Sunday</td> <td>11:00hrs to 22:30hrs</td> </tr> </table> <p><u>LATE NIGHT REFRESHMENT (Outdoors)</u></p> <table border="1"> <tr> <td>Friday</td> <td>23:00hrs to 01:00hrs the following morning</td> </tr> <tr> <td>Saturday</td> <td>23:00hrs to 01:00hrs the following morning</td> </tr> </table> <p><u>SALE OF ALCOHOL (For consumption on the premises)</u></p> <table border="1"> <tr> <td>Friday</td> <td>12:00hrs to 01:00hrs the following morning</td> </tr> <tr> <td>Saturday</td> <td>11:00hrs to 01:00hrs the following morning</td> </tr> <tr> <td>Sunday</td> <td>11:00hrs to 22:00hrs</td> </tr> </table>	Friday	12:00hrs to 01:00hrs the following morning	Saturday	11:00hrs to 01:00hrs the following morning	Sunday	11:00hrs to 22:30hrs	Friday	23:00hrs to 01:00hrs the following morning	Saturday	23:00hrs to 01:00hrs the following morning	Friday	12:00hrs to 01:00hrs the following morning	Saturday	11:00hrs to 01:00hrs the following morning	Sunday	11:00hrs to 22:00hrs
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	<p>The following activities remain unchanged following the grant of the application</p> <p><b>HOURS OPEN TO THE PUBLIC</b></p> <table border="1"> <tr> <td>Friday</td> <td>12:00hrs to 02:00hrs the following morning</td> </tr> <tr> <td>Saturday</td> <td>11:00hrs to 02:00hrs the following morning</td> </tr> <tr> <td>Sunday</td> <td>11:00hrs to 23:00hrs</td> </tr> </table> <p><b>PERFORMANCE OF PLAYS (Outdoors)</b></p> <table border="1"> <tr> <td>Friday</td> <td>12:00hrs to 19:00hrs</td> </tr> <tr> <td>Saturday</td> <td>11:00hrs to 19:00hrs</td> </tr> <tr> <td>Sunday</td> <td>11:00hrs to 19:00hrs</td> </tr> </table> <p><b>EXHIBITION OF FILMS (Outdoors)</b></p> <table border="1"> <tr> <td>Friday</td> <td>12:00hrs to 01:00hrs the following morning</td> </tr> <tr> <td>Saturday</td> <td>11:00hrs to 01:00hrs the following morning</td> </tr> <tr> <td>Sunday</td> <td>11:00hrs to 22:30hrs</td> </tr> </table> <p><b>LIVE MUSIC (Outdoors)</b></p> <table border="1"> <tr> <td>Friday</td> <td>12:00hrs to 23:00hrs</td> </tr> <tr> <td>Saturday</td> <td>11:00hrs to 23:00hrs</td> </tr> <tr> <td>Sunday</td> <td>11:00hrs to 22:30hrs</td> </tr> </table> <p><b>PERFORMANCE OF DANCE (Outdoors)</b></p> <table border="1"> <tr> <td>Friday</td> <td>12:00hrs to 01:00hrs the following morning</td> </tr> <tr> <td>Saturday</td> <td>11:00hrs to 01:00hrs the following morning</td> </tr> <tr> <td>Sunday</td> <td>11:00hrs to 22:30hrs</td> </tr> </table>	Friday	12:00hrs to 02:00hrs the following morning	Saturday	11:00hrs to 02:00hrs the following morning	Sunday	11:00hrs to 23:00hrs	Friday	12:00hrs to 19:00hrs	Saturday	11:00hrs to 19:00hrs	Sunday	11:00hrs to 19:00hrs	Friday	12:00hrs to 01:00hrs the following morning	Saturday	11:00hrs to 01:00hrs the following morning	Sunday	11:00hrs to 22:30hrs	Friday	12:00hrs to 23:00hrs	Saturday	11:00hrs to 23:00hrs	Sunday	11:00hrs to 22:30hrs	Friday	12:00hrs to 01:00hrs the following morning	Saturday	11:00hrs to 01:00hrs the following morning	Sunday	11:00hrs to 22:30hrs
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<p><b>CONDITIONS DEEMED APPROPRIATE FOR THE PROMOTION OF THE LICENSING OBJECTIVES</b></p>	<p>The Sub-Committee recognises that conditions will <u>only</u> be imposed on a licence where conditions are appropriate for the promotion of one of the four licensing objectives. The Sub-Committee will only impose conditions on a licence where relevant representations have been made and it considers that it is appropriate to impose conditions as a result of these representations.</p> <p>The following conditions are each considered appropriate by the Sub-Committee to promote the licensing objectives of:</p> <ul style="list-style-type: none"> <li>• prevention of crime and disorder</li> <li>• prevention of public nuisance</li> </ul>																														

	<p>The conditions are:</p> <p>The designate premises supervisor (DPS) will ensure that there is clearly legible signage placed at all food and drink concessions, reminding patrons that alcohol and food will cease to be served after 01:00am.</p> <p>The designate premises supervisor (DPS) will ensure that there is clearly legible signage placed at all points of egress reminding those leaving the site to “Respect our neighbours; please leave quietly.”</p>
<b>CONDITIONS PROPOSED BY APPLICANT</b>	No conditions were offered by the applicant during the hearing in order to promote the licensing objectives.
<b>EFFECT OF FAILING TO COMPLY WITH CONDITIONS</b>	The effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, could result in an unlimited fine or up to six months imprisonment or both.
<b>STATUTORY GUIDANCE CONSIDERATIONS</b>	<p>The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (April 2018 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision:</p> <p>Sections 1.3, 1.4, 1.5, 1.16, 1.17, 2.1, 2.10, 2.15, 2.16, 2.18, 2.19, 8.38, 8.33, 8.41, 8.44, 9.12, 9.42, 9.43, 9.44, 10.10</p>
<b>LICENSING POLICY CONSIDERATIONS</b>	<p>The Sub-Committee has taken into account the North Hertfordshire District Council’s Statement of Licensing Policy in reaching its decision. They have found the following sections to be of particular relevance in reaching this decision.</p> <p>Sections B6, B7, B8, D1.5, D2.1, D2.4, D2.5, D2.6, D2.9, D6.2, D6.3, D6.8, D8.1, D8.2, E2.7.1, E3.1.1, E3.3.1, E3.8.1, E3.8.2, E3.9.2, F4.1, F8.1, F8.2, G6.6.6, G7.6.1, O1.1</p>
<b>RATIONALE FOR DECISION</b>	<ol style="list-style-type: none"> <li>1. The Sub-Committee were concerned that allowing the variation requested would not allow sufficient time to clear the site of members of the public, leading to an offence being committed under the Licensing Act 2003. Extending the hours by 1, instead of 2 hours, was an appropriate way to ensure the licence was not breached and therefore promote the licensing objective of Prevention of Crime and Disorder.</li> <li>2. The Sub-Committee felt that the inclusion of signage to remind patrons of the times at which alcohol and food cease, would assist in the orderly wind down of the event, and was appropriate to promote the licensing condition of Prevention of Public Nuisance.</li> </ol>



	<p>3. The Sub-Committee were mindful of the concerns raised by the objector with regards to the noise nuisance created by egress en masse, and feel that the addition of signage to remind patrons to leave quietly is appropriate to promote the licensing objective of Prevention of Public Nuisance.</p>
<p><b>COMMENCEMENT DATE</b></p>	<p>This decision takes immediate effect.</p>
<p><b>RIGHTS OF APPEAL</b></p>	<p>An appeal may be made against this decision by:</p> <ul style="list-style-type: none"> <li>• the holder of the premises licence</li> <li>• any other person who made relevant representations in relation to the application</li> </ul> <p>The appeal and appeal fee must be lodged with the Clerk to Stevenage Magistrates Court no later than twenty-one (21) days after the day on which the parties were notified by the Licensing Authority of this decision.</p>
<p><b>RIGHTS OF REVIEW</b></p>	<p>At any stage, following the grant of a premises licence, a responsible authority, such as the Police, or any other person, such as a resident affected by licensable activities at the premises, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. The review is a request for the Council to look at the existing licence and decide whether its conditions are adequate to meet the four licensing objectives defined under the Licensing Act 2003.</p>