



Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

North Herts District Council

Responsible Authority: Police

Your Name	Simon Mullan (warrant no. 2881)
Job Title	Community Safety Sergeant
Postal address	Hitchin Police Station College Rd Hitchin Herts, SG5 1JX
Email Address	licensingeasternarea@herts.pnn.police.uk
Contact telephone number	01438 757372
Facsimile Number	

Name of the premises you are making a representation about	The Station Hotel	
Address of the premises you are making a representation about	1 Station Approach Knebworth SG3 6AT	
Details of the individual you are making representations about	Name	<u>Address</u>
	Date & Place of Birth	
Is this the first objection in respect of this individual or these premises	Yes	<u>Brief details / cross reference</u>

Licensing Objections

<i>Which of the four licensing Objectives does your representation relate to?</i>	<i>Yes Or No</i>	<i>Evidence supporting representation or reason for representation. Please use continuation sheet as required</i>
To prevent crime and disorder	Yes	See attached report
Public safety	Yes	See attached report
To prevent public nuisance	Yes	See attached report
To protect children from harm	Yes	See attached report

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	See attached report
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Signed on behalf of Hertfordshire Constabulary Sergeant Simon Mullan

Date: Friday 8th November 2019

Please submit this form along with any additional sheets to: [insert name and address] or email to [Insert email address]

This form must be returned within the Statutory Period.



HERTFORDSHIRE

CONSTABULARY

Representation to New Premises Licence Application for Station Hotel, 1 Station Approach, Knebworth

Report prepared by Mrs Kuljit Sangha, North Herts Police Licensing Officer

This representation is in relation to a new premises licence application for Station Hotel, 1 Station Approach, Knebworth. The applicant, Knebworth Parish Council Town Clerk Claire Graham, has accepted a number of conditions that Environmental Health have proposed one of which is in relation to the smoking area not to be located in the pub garden. Therefore Knebworth Parish Council have now relocated the smoking area to the front of the property. The representation is in relation to the following licensing objectives: crime and disorder, public safety, public nuisance, protection of children from harm.

During the initial Police visit on Wednesday 30th September 2019, (by Kuljit Sangha, PC Harding - Safer Neighbourhood Officer and PCSO O'Driscoll), prior to any negotiations with Environmental Health, we discussed where the smoking area was going to be located, which we were informed would be in the pub garden. With that in mind Police had no concerns. I then proposed a number of conditions as follows:

- Hours Premises Are Open to the Public will be: Monday, Tuesday, Wednesday, Thursday, Friday and Saturday: 07:00hrs – 00:00hrs and Sunday: 07:00hrs – 23:30hrs.
- Supply of Alcohol Times: Monday, Tuesday, Wednesday, Thursday Friday and Saturday: 10:00hrs – 23:30hrs and Sunday: 10:00hrs – 23:00hrs.
- DPS/Premises Licence Holder will ensure that an age challenged and refusal will be recorded on the EPOS till system.
- DPS/Premises Licence Holder will ensure that any refusal of alcohol record will be made available for inspection upon request by Police Licensing Officer, Police Officers and Police Community Support Officers.
- DPS/Premises Licence Holder will ensure that an incident book is maintained and kept at the premises at all times.
- DPS/Premises Licence Holder will ensure that the incident book will be made available for inspection upon request by Police Licensing Officer, Police Officers and Police Community Support Officers.
- DPS/Premises Licence Holder will ensure the Challenge 25 policy is implemented.
- DPS/Premises Licence Holder will ensure that Challenge 25 notices will be displayed in a prominent locations to remind customers they may be asked to show proof of age.
- DPS/Premises Licence Holder will ensure that no open vessels will be permitted in the designated smoking area at any time during operating hours.

- DPS/Premises Licence Holder will ensure that customers are not permitted to leave the premises with any open vessels.

Police then received further correspondence (highlighted in blue below) on Tuesday 5th November 2019 from Claire Graham on behalf of Knebworth Parish Council stating:

I believe that Lloyd Willis, the DPS, has been in contact with you regarding the proposed conditions. I thought it might be helpful to provide a plan of the pub and the proposed locations of the smoking areas. The smoking area identified at the rear is the lowest point of the garden, near the bottom of an accessible ramp to the raised part of the garden. It is also about three feet lower than the adjacent development land with a 10 foot high boundary hedge, so is quite contained. The Council proposed the area in the garden to avoid groups of smokers loitering in the car park. However as an alternative smoking area the Council would like to propose a site in front of the building which can accommodate up to three picnic benches, see attached plan. This location would permit smokers to sit and drink more socially and give a better impression of the pub. If required some form of screening could be put in place. However I believe that this would be contrary to some of your proposed conditions. The proposed site is set well back from the footpath, unlike the Royal British Legion in Gun Lane which has an area immediately off the footpath with benches where people smoke and drink. Are you able to amend your conditions to accommodate this proposal? I have sent the plan to Sarah Scothmer, the EHO, for her comments. I look forward to your comments on the proposal for the seating/smoking/drinking area at the front of the building.



Station Hotel
Smoking Area.pdf

Having now been informed (in the above email) that the smoking area would be relocated at the front of the premises accommodating three picnic benches (see attached plan which was not the original plan that was submitted with the application), for the purpose of smoking and drinking. There has only been one plan submitted with the application which does not show any seating area at the front of the premises. During the Police visit, there was no mention of any plans with regard to any sort of seating at the front of the premises for the purpose of drinking, it is now apparent that on the application it states 'alcohol will be consumed on the premises, in the enclosed pub garden located to the rear of the building and in the small garden area located to the front of the building' The original plan with the application does not show any small garden area located to the front of the building, just a car park. At the time of our visit PC Harding asked about the smoking area and the proposed DPS Lloyd Willis did mention that it is not the image that he is creating for the business to have smoking at the front of the premises. But now with a new location for the smoking area, it now appears that the applicant has created additional seating for anyone to sit outside in that area for the sole purpose of drinking and smoking all day until closing time, therefore allowing customers to stay outside at the front for longer periods of time than is necessary. As stated in Claire's email above she herself has stated that Knebworth Parish Council proposed the area in the garden to avoid groups of smokers loitering in the car park.

Our understanding is that Environmental Health has proposed and the applicant has accepted the following condition with regard to the pub garden: 'There will continue to be a seating area in the garden which will be until 10pm (Sun – Thurs) and 10.30pm (Fri – Sat)'. Therefore Police can't really understand the need for additional seating at the front of the premises, when the pub garden is still open in the evenings and then there is additional seating inside the premises. The front of the premises has a self-contained car park of its own (see attached plan), which has two points of entry/exit for vehicles, one of those entry/exit points would be too close to the smoking area especially if that area

becomes busy and possibly noisy, which therefore raises concerns about public safety and public nuisance. With the congregation of customers in that area because of seating, this area poses a risk to customers from potential injuries, even more so if they are intoxicated with cars coming in and out of the car park. Also by having tables and chairs for the smoking and drinking that poses a risk to children who may possibly be attending with their parents and sitting in that area. There is currently a number of luxury apartments being built opposite the premises and further plans for additional flats to the right side of the building, which means there could possibly be noise complaints (people noise – congregating in the front, etc) from local residents once those apartments/flats are occupied

On that note we would say the more appropriate area for smoking at the front of the premises would be the other side of the proposed smoking area with no seating, which I have marked on the plan as X. Therefore this minimises any risk to customers, including children and there is no incentive for them to remain in that area than is necessary. It also minimises any people noise issues that could potentially impact on residents. Based on the relocation of the smoking area/seating area to the front there is no mention of how many people would be permitted in that area. On the application the applicant has not proposed a drinking up time for customers, which means that the supply of alcohol terminal hour is the same as the closing time, which will not allow customers to finish their drinks.

Police are proposing the following conditions:

- Hours Premises Are Open to the Public will be: Monday, Tuesday, Wednesday, Thursday, Friday and Saturday: 07:00hrs – 00:00hrs and Sunday: 07:00hrs – 23:30hrs.
- Supply of Alcohol Times: Monday, Tuesday, Wednesday, Thursday Friday and Saturday: 10:00hrs – 23:30hrs and Sunday: 10:00hrs – 23:00hrs.
- DPS/Premises Licence Holder will ensure that an age challenged and refusal will be recorded on the EPOS till system.
- DPS/Premises Licence Holder will ensure that any refusal of alcohol record will be made available for inspection upon request by Police Licensing Officer, Police Officers and Police Community Support Officers.
- DPS/Premises Licence Holder will ensure that an incident book is maintained and kept at the premises at all times.
- DPS/Premises Licence Holder will ensure that the incident book will be made available for inspection upon request by Police Licensing Officer, Police Officers and Police Community Support Officers.
- DPS/Premises Licence Holder will ensure the Challenge 25 policy is implemented.
- DPS/Premises Licence Holder will ensure that Challenge 25 notices will be displayed in a prominent locations to remind customers they may be asked to show proof of age.
- DPS/Premises Licence Holder will ensure that the designated smoking area is located at the front of the premises in the location marked as X on the attached plan.
- DPS/Premises Licence Holder will ensure that customers are not permitted to leave the premises with any open vessels.

- DPS/Premises Licence Holder will ensure that no open vessels will be permitted at the front of the premises at any time during operating hours.
- DPS/Premises Licence Holder will ensure that no drinking will be permitted at the front of the premises at any time during operating hours.

Dated: Friday 8th November 2019

Dear All,

In addition to the representation that has already been lodged on Friday 08/11/19, we would also add that Police have concerns that the applicant has not considered installing cctv. We were advised that a lot of money would be spent on refurbishing the premises, therefore cctv would add another element of cost, which they would not consider at this point in time. However Police consider that cctv is needed to ensure that all four licensing objectives are met, which would protect the premises, staff, customers, children and assist police with their enquiries in the event of incident..

Therefore Police are proposing the following cctv conditions:

- DPS / Premises Licence Holder will ensure that CCTV system is installed, in working order and shall continually record whilst the premises is open to the public.
- DPS / Premises Licence Holder will ensure that CCTV cameras are installed and in working order.
- DPS / Premises Licence Holder will ensure that viewable and un-edited copies of recordings from the CCTV system will be provided to Police no later than 24 hours after request.
- DPS / Premises Licence Holder will ensure that all CCTV recordings will be kept for a minimum of 28 days.
- DPS / Premises Licence Holder will ensure that prior to opening the premises to the public in accordance with the premises licence operating hours, the CCTV system will be checked to ensure that it is working and recording for a minimum of 28 days.
- DPS / Premises Licence Holder will ensure that the CCTV cameras cover key and vulnerable parts of the premises, including the entry and exit points.
- DPS / Premises Licence Holder will ensure that a minimum of two (2) persons, namely the owner/DPS and duty manager are fully trained to access and operate the CCTV system and download copies of any footage, upon request by Police Licensing Officer, Police Officers and Police Community Support Officers. One of these persons will be at the premises at all times when the premises are open to the public.

Regards

Kuljit

Kuljit Sangha

Mrs Kuljit Sangha

Police Licensing Officer for North Herts

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