



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE
Telephone: 01353 665555

MEETING: **LICENSING SUB-COMMITTEE**
TIME: 11:00am (or after the preceding Sub-Committee meeting, whichever is later)
DATE: 10th January 2019
VENUE: Council Chamber, The Grange, Nutholt Lane, Ely
ENQUIRIES REGARDING THIS AGENDA: Adrian Scaites-Stokes
DIRECT DIAL: (01353) 665555 EMAIL: adrian.scaites-stokes@eastcambbs.gov.uk

Conservative Members:

Councillor Julia Huffer (Chair)
Councillor Alan Sharp (Vice Chair)
Councillor Michael Allan
Councillor Carol Sennitt

Liberal Democrat Member:

Councillor Sue Austen

Quorum: 3 Members

A G E N D A

1. **Declarations of Interest**
To receive declarations of interest from Members for any items on the Agenda in accordance with the Members Code of Conduct
2. **Application for the Grant of a New Premises Licence – Licensing Act 2003**
To consider the above matter in accordance with the Hearings Procedure (attached)

NOTES:

| | |
|----|--|
| 1. | The maximum capacity for meetings in the Council Chamber has been set by the Fire Officer at 100 persons. Allowing for Member/Officer attendance and room layout constraints, this will normally give a capacity for public attendance of 60. |
| 2. | <p>Fire instructions for meetings:</p> <ul style="list-style-type: none">▪ If the fire alarm sounds please make your way out of the building by the nearest available exit - i.e. the back staircase or the fire escape in the chamber. Do not to use the lifts.▪ The fire assembly point is in the front staff car park by the exit barrier.▪ This building has an auto-call system to the fire services, so there is no need for anyone to call the fire services. <p>The Committee Officer will sweep the area to ensure that everyone is out of this area.</p> |
| 3. | Reports are attached for each agenda item unless marked “oral”. |
| 4. | <p>If required all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail:</p> <p>translate@eastcambs.gov.uk</p> |
| 5. | <p>If the Committee wishes to exclude the public and press from the meeting a resolution in the following terms will need to be passed:</p> <p>“That the press and public be excluded during the consideration of the remaining items no. X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 1, 2 and 7 Part I Schedule 12A to the Local Government Act 1972 (as Amended).”</p> |
| | |

NEW PREMISES LICENCE – HEARING PROCEDURE

Procedure

1. The Chair will welcome the Applicant/ Licence Holder (representative) and where appropriate Complainant(s), introduce Members/ Officers present, and explain the procedure to be followed.
2. The Chair will ask whether the Applicant/ Licence Holder has received the report.
3. The Chair will ask the Licensing Officer to present the report:
Gives a summary:
 - of the application
 - the representations made
 - how the application and any relevant representations relate to the provision of the Licensing Policy statement, any s182 guidance from the Secretary of State, licensing objectives and relevant legislation
4. Members, officers, applicant, objectors and persons making representations will be able to ask questions to clarify the presentation.
5. The Applicant/Applicant's Representative will be invited to address the Committee in support of their case. He or she may call witnesses in support of his/her case.
6. Members, officers, objectors and persons making representations will be able to ask questions of the Applicant or representative.
7. The Responsible Authorities (Health & Safety Officer, Environmental Health Officer, Planning Officer, Police, Fire Service, Social Services, Trading Standards) will be invited to address the Committee in support of their case. He or she may call witnesses in support of his/her case.
8. Members, officers, objectors and persons making representations will be able to ask questions of the Responsible Authorities.
9. The Objectors and persons making representations will be invited to address the Committee in support of their case. They may call witnesses in support of their case.
10. Members, officers, objectors and persons making representations will be able to ask questions of the Objectors and persons making responsible.
11. The Members and Legal Officer will make the decision in public unless the Sub-Committee decide to go into closed session (either by leaving the room or asking all other parties to do so). The Members will make a decision and record reasons for this.
12. The Members of the Sub-Committee will then return to the meeting room/ bring everyone else back into the room. The Chair will announce the decision with reasons and advise that a letter confirming the decision and rights of appeal will be sent within the next 7 days. If refused all present will be advised that the Applicant and all those making representations may appeal to the Magistrate's Court within 21 days of receipt of the Notice of Determination.



Part A

Premises Licence

Premises Licence Number

14/00715/LIQ_05

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Hereward
45 - 49 Market Street
Ely
Cambridgeshire
CB7 4LL

Telephone number: 01353 772050

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Films (indoors)
Indoor Sporting Events
Live Music (indoors)
Recorded Music (indoors)
Performance of Dance (indoors)
Late Night Refreshment (indoors & outdoors)
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Standard activity times

| | |
|---|---------------|
| Films (indoors) | |
| Sunday to Wednesday | 07:00 - 00:00 |
| Thursday to Saturday | 07:00 - 01:00 |
| Indoor Sporting Events | |
| Sunday to Wednesday | 11:00 - 00:00 |
| Thursday to Saturday | 11:00 - 01:00 |
| Live Music (indoors) | |
| Sunday to Wednesday | 11:00 - 00:00 |
| Thursday to Saturday | 11:00 - 01:00 |
| Recorded Music (indoors) | |
| Sunday to Wednesday | 07:00 - 00:00 |
| Thursday to Saturday | 07:00 - 01:00 |
| Performance of Dance (indoors) | |
| Sunday to Wednesday | 11:00 - 00:00 |
| Thursday to Saturday | 11:00 - 01:00 |
| Late Night Refreshment (indoors & outdoors) | |
| Sunday to Wednesday | 23:00 - 00:00 |
| Thursday to Saturday | 23:00 - 01:00 |
| Sale by Retail of Alcohol | |
| Sunday to Wednesday | 11:00 - 00:00 |
| Thursday to Saturday | 11:00 - 01:00 |

Non standard activity times

From end of permitted hours New Year's Eve to start of permitted hours New Year's Day.

The external side courtyard seating area must not be used by the venue after 20:00hrs each evening.

The opening hours of the premises

Standard opening hours

| | |
|----------------------|---------------|
| Sunday to Wednesday | 07:00 - 00:30 |
| Thursday to Saturday | 07:00 - 01:30 |

Non standard opening hours

From end of permitted hours New Year's Eve to start of permitted hours New Year's Day.

An additional hour to be added to the premises opening hours on the day when British Summertime commences.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both ON and OFF the premises.

Part 2

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

Stonegate Pub Company Limited
Porter Tun House
500 Capability Green
Luton
LU1 3LS

Telephone Contact Number: 02073994200

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

Registered Business Number: FC029833

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

Mr Simon Pac-Pomarnacki
The Hereward
45 Market Street
Ely
Cambridgeshire
CB7 4LZ

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

Personal Licence Number: 013961

Licensing Authority: London Borough of Richmond

Licence last updated: 29 October 2018

Annex 1 – Mandatory Conditions

Mandatory Conditions: Sale by Retail of Alcohol

1. No supply of alcohol may be made under the premises 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/her personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Conditions: Irresponsible Drink Promotions, Free Potable Water, Age Verification Policy, Measures of Alcohol

1. (1) 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.
 - (2) In this paragraph, 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 fee 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 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, the 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;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) 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.

(3) The policy must require individuals who appear to the responsible person to be under 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:

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that:

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

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(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.

Mandatory Conditions: No Sale of Alcohol for less than the Permitted Price

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

2. For the purposes of the condition set out in paragraph 1:

a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979);

b) '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;

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 a capacity which enables 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.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

(2) 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 14 days beginning on the second day.

Mandatory Conditions: Exhibition of Films

1. Where the film classification body is specified in the premises licence, unless subsection (2)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
2. Where:
 - b) the film classification body is not specified in the licence, or
 - c) the relevant licensing authority has notified the holder of the premises licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
3. In this section:
 - a) 'children' means persons under the age of 18, and
 - b) 'film classification body' means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Conditions: Door Supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.
2. In this section:
 - a) 'security activity' means an activity to which paragraph 2(1)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) applies, and
 - b) paragraph 8(5) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 – Conditions consistent with the Operating Schedule

1. A CCTV system to be fitted and maintained at the premises to an approved standard, including a camera covering the outside of the premises. Images to be retained for at least 31 days and made available to police on request.
2. The person nominated as the designated premises supervisor to join and actively support Ely City pubwatch, support its aims and objectives, including support of its agreed banning policy, and attending meetings personally or by sending an authorised representative of the venue.
3. On occasions when the venue is open primarily for the sale and consumption of alcohol the designated premises supervisor to actively operate a "challenge 21 policy". This will include a voluntary agreement to only accept identity cards with a "pass" accreditation, passports or photo ID, driving licences, or any future identification card as approved by Central Government, or bona-fide recognised forms of identification.
4. Children must not be permitted on the premises unless accompanied by a responsible adult.
5. Children must not be permitted on the premises after 21:00 hours when regulated entertainment is provided (other than recorded music).
6. Numbers: Maximum 400 (four hundred).
7. Number of Exits: 2 (two) exits each of minimum clear width 1950 (one thousand nine hundred and fifty) mm.
8. Fire Fighting Equipment: 4 (four) AFFF, 2 (two) CO2 type fire extinguishers, 1 (one) fire blanket.
9. Emergency Lighting: Installed and maintained in accordance with BS5266 Pt.1 including maintained illuminated EXIT boxes above each exit door.
10. Fire Alarm System: Installed and maintained in accordance with BS5839 Pt.1.
11. All windows and doors to be kept shut after 23:00 hours when live or recorded music is played.

Chequers Lane Outside Seating Area Conditions

1. The following conditions to apply to the external area adjacent to the side of the premises and adjacent to Chequers Lane, as edged on the plan lodged with the Licensing Authority showing that external area.
2. Whilst the external courtyard seating area adjacent to Chequers Lane is in use by the venue, it must be adequately supervised, checks must be made at half hourly intervals (this to include removal of empty glassware and breakages etc.), a log of such checks to be kept at site and available to the Police or a representative of the Licensing Authority upon reasonable request. Such records to be kept for a period of 3 months.
3. The area used to be clearly delineated by barriers provided by the venue and must be limited to four tables accommodating sixteen covers in all.
4. Whilst that area is in use by the venue, the staff must ensure that persons using that area are seated and within the area delineated by the barriers provided by the venue.
5. Whilst the area is in use by the venue, staff must ensure any customers who may be smoking in that area do not encroach upon the public right of way, known as Chequers Lane and allow free and unfettered access to persons wishing to use it.

6. The external side courtyard seating area must not be used by the venue after 20:00hrs each evening.
7. Tables and chairs to be removed and securely stored away from the area as soon as reasonably practical after that time and in any event by 20:30hrs.
8. A CCTV camera must monitor the area whilst it is being used by the venue.
9. The Police will liaise with the Management concerning use of this area by the venue and in the event that there should be any issues that undermines one or more of the licensing objectives, the Management, having been notified, will use their best endeavours to address the situation in good time and if necessary remove the tables from use until such a time it is agreed by the Police in writing that those concerns are addressed.
10. The Environmental Health Officer will liaise with the Management concerning use of this area by the venue and in the event that there should be any issues that undermine the public nuisance licensing objective, the Management having been notified will use their best endeavours to address the situation in good time and if such issue is not addressed and a public nuisance is proved, if necessary the tables and chairs will be removed from use until such time as it is agreed in writing by the Environmental Health Officer and those concerns are addressed.
11. Notices to be placed in the external area, asking customers to respect the needs of local residents.
12. Suitable notices to be placed asking customers to ensure that they remain within the approved area and do not take glass drinking vessels from that area.

Annex 3 – Conditions attached after a Hearing by the Licensing Authority

Annex 4 – Plans



East
Cambridgeshire
District Council
www.eastcambs.gov.uk

Premises Licence Application

Case Ref FS-Case-96625154

Date Submitted 2018-11-23 08:19:44

Environmental Services

East Cambridgeshire District Council The Grange Nutholt Lane Ely Cambs CB7 4EE

Application for a premises licence to be granted

under the Licensing Act 2003

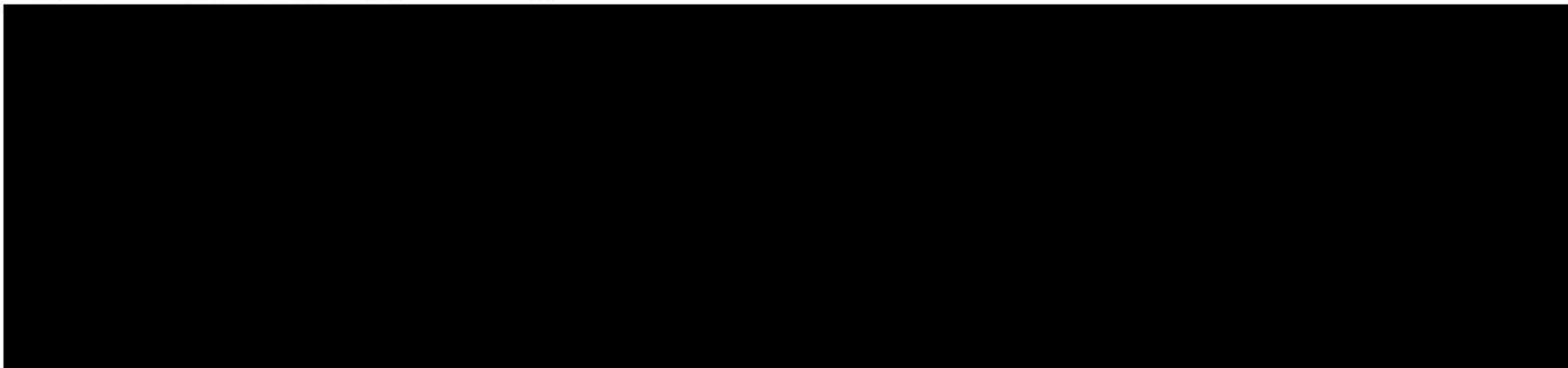
PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

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

Are you completing this form as **an Agent**

Agent Details (if applicable)



Part 1 - Premises Details

| | |
|---|--|
| Postal address of premises: | Hereward 45-49 Market Street, , Ely, CB7 4LT |
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £ 93000 |

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as:

(a) an individual or individuals*: No

OR

(b) a person other than an individual*: Limited Company

*If you are applying as a person described in (a) or (b) please confirm:

I am carrying on or propose to carry on a business which involves the use of the premises for licensable activities or

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

If completed by Applicant:

(B) OTHER APPLICANTS

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

| |
|---|
| Name |
| Address |
| Registered number (where applicable) FC029833 |
| Description of applicant (for example. partnership, company, unincorporated association etc.) |
| Telephone number (if any) N/A |
| E-mail address (optional) |

Part 3 - Operating Schedule

When do you want the premises licence to start?: 20/12/2018

If you wish the licence to be valid only for a limited period, when do you want it to end?:

| |
|---|
| Please give a general description of the premises (please read guidance note 1) The premises is located over one floor, with customer facilities and back of house areas all on the ground floor. There are two external areas, one to the front and one to the side of the premises, as detailed on the enclosed plan, drawing number 2867-81A. |
|---|

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment: (please read guidance note 2)

(b) Films, (c) Indoor Sporting Events, (e) Live Music, (f) Recorded Music, (g) Performance of Dance, (i) Provision of late night refreshment, (j) Supply of alcohol

In all cases complete boxes K, L and M

A

| |
|--|
| Plays Standard days and timings (please read guidance note 7) |
| Will the performance of a play take place indoors or outdoors or both (please read guidance note 3) |
| Please give further details here (please read guidance note 4) |
| State any seasonal variations for performing plays (please read guidance note 5) |

Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed above, please list (please read guidance note 6)

B

Films

Standard days and timings (please read guidance note 7)

Day Monday Start Time 07:00:00 End Time 00:00:00

Day Tuesday Start Time 07:00:00 End Time 00:00:00

Day Wednesday Start Time 07:00:00 End Time 00:00:00

Day Thursday Start Time 07:00:00 End Time 01:00:00

Day Friday Start Time 07:00:00 End Time 03:00:00

Day Saturday Start Time 07:00:00 End Time 03:00:00

Day Sunday Start Time 07:00:00 End Time 01:00:00

Will the exhibition of films take place indoors or outdoors or both(please read guidance note 3)

Indoors

Please give further details here (please read guidance note 4)

Films including but not limited to amplified music videos, sports, and TV programmes

State any seasonal variations for the exhibition of films(please read guidance note 5)

Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed above, please list (please read guidance note 6)

- From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- An additional hour to the terminal hour on the day that British Summertime commences.

C

Indoor Sporting Events

Standard days and timings (please read guidance note 7)

Day Monday Start Time 09:00:00 End Time 00:00:00

Day Tuesday Start Time 09:00:00 End Time 00:00:00

Day Wednesday Start Time 09:00:00 End Time 00:00:00

Day Thursday Start Time 09:00:00 End Time 01:00:00

Day Friday Start Time 09:00:00 End Time 03:00:00

Day Saturday Start Time 09:00:00 End Time 03:00:00

Day Sunday Start Time 09:00:00 End Time 01:00:00

Please give further details (please read guidance note 4)

The playing of indoor pub games, eg skittles, pool, snooker and darts

State any seasonal variations for indoor sporting events (please read guidance note 5)

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed above, please list (please read guidance note 6)

- From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- An additional hour to the terminal hour on the day that British Summertime commences.

D

Boxing or wrestling entertainments

Standard days and timings (please read guidance note 7)

Will the boxing or wrestling entertainment take place indoors or outdoors or both(please read guidance note 3)

Please give further details here (please read guidance note 4)

State any seasonal variations for boxing or wrestling entertainment(please read guidance note 5)

Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed above, please list (please read guidance note 6)

E

Live Music

Standard days and timings (please read guidance note 7)

Day Monday Start Time 09:00:00 End Time 00:00:00

Day Tuesday Start Time 09:00:00 End Time 00:00:00

Day Wednesday Start Time 09:00:00 End Time 00:00:00

Day Thursday Start Time 09:00:00 End Time 01:00:00

Day Friday Start Time 09:00:00 End Time 03:00:00

Day Saturday Start Time 09:00:00 End Time 03:00:00

Day Sunday Start Time 09:00:00 End Time 01:00:00

Will the performance of live music take place indoors or outdoors or both(please read guidance note 3)

Indoors

Please give further details here (please read guidance note 4)

Playing of amplified or unamplified live music through the premises

State any seasonal variations for the performance of live music(please read guidance note 5)

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed above, please list (please read guidance note 6)

- From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- An additional hour to the terminal hour on the day that British Summertime commences.

F

Recorded Music

Standard days and timings (please read guidance note 7)

Day Monday Start Time 07:00:00 End Time 00:00:00

Day Tuesday Start Time 07:00:00 End Time 00:00:00

Day Wednesday Start Time 07:00:00 End Time 00:00:00

Day Thursday Start Time 07:00:00 End Time 01:00:00

Day Friday Start Time 07:00:00 End Time 03:00:00

Day Saturday Start Time 07:00:00 End Time 03:00:00

Day Sunday Start Time 07:00:00 End Time 01:00:00

Will the playing of recorded music take place indoors or outdoors or both(please read guidance note 3)

Indoors

Please give further details here (please read guidance note 4)

Playing of recorded music via an in house music system.

State any seasonal variations for the playing of recorded music(please read guidance note 5)

Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed above, please list (please read guidance note 6)

- From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- An additional hour to the terminal hour on the day that British Summertime commences.

G

Performance of dance

Standard days and timings (please read guidance note 7)

Day Monday Start Time 09:00:00 End Time 00:00:00

Day Tuesday Start Time 09:00:00 End Time 00:00:00

Day Wednesday Start Time 09:00:00 End Time 00:00:00

Day Thursday Start Time 09:00:00 End Time 01:00:00

Day Friday Start Time 09:00:00 End Time 03:00:00

Day Saturday Start Time 09:00:00 End Time 03:00:00

Day Sunday Start Time 09:00:00 End Time 01:00:00

Will the performance of dance take place indoors or outdoors or both(please read guidance note 3)

Indoors

Please give further details here (please read guidance note 4)

Performances of dance by staff and performers throughout the venue

State any seasonal variations for the performance of dance(please read guidance note 5)

Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed above, please list (please read guidance note 6)

- From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- An additional hour to the terminal hour on the day that British Summertime commences.

H

Anything of a similar description to that falling within (e), (f) or (g)

Standard days and timings (please read guidance note 7)

Please give a description of the type of entertainment you will be providing

Will this entertainment take place indoors or outdoors or both(please read guidance note 3)

Please give further details here (please read guidance note 4)

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)

Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed above, please list (please read guidance note 6)

I

Late night refreshment

Standard days and timings (please read guidance note 7)

Day Monday Start Time 23:00:00 End Time 00:00:00

Day Tuesday Start Time 23:00:00 End Time 00:00:00

Day Wednesday Start Time 23:00:00 End Time 00:00:00

Day Thursday Start Time 23:00:00 End Time 01:00:00

Day Friday Start Time 23:00:00 End Time 03:00:00

Day Saturday Start Time 23:00:00 End Time 03:00:00

Day Sunday Start Time 23:00:00 End Time 01:00:00

Will the provision of late night refreshment take place indoors or outdoors or both(please read guidance note 3)

Both

Please give further details here (please read guidance 4)

Hot food and drink

State any seasonal variations for the provision of the late night refreshment(please read guidance note 5)

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed above, please list (please read guidance note 6)

- From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- An additional hour to the terminal hour on the day that British Summertime commences.

J**Supply of alcohol**

Standard days and timings (please read guidance note 7)

Day Monday Start Time 09:00:00 End Time 00:00:00

Day Tuesday Start Time 09:00:00 End Time 00:00:00

Day Wednesday Start Time 09:00:00 End Time 00:00:00

Day Thursday Start Time 09:00:00 End Time 01:00:00

Day Friday Start Time 09:00:00 End Time 03:00:00

Day Saturday Start Time 09:00:00 End Time 03:00:00

Day Sunday Start Time 09:00:00 End Time 01:00:00

Will the supply of alcohol be for consumption on the premises or off the premises or both (please read guidance note 8)

Both

State any seasonal variations for the supply of alcohol(please read guidance note 5)

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed above, please list (please read guidance note 6)

- From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- An additional hour to the terminal hour on the day that British Summertime commences.

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor: (Please see declaration about the entitlement to work in the checklist at the end of the form):

| | |
|---------|---|
| Name | Mr Simon Pac-Pomarnacki |
| Address | 45 Market Street Ely Cambridgeshire CB7 4LZ |

| | |
|--|----------------------------|
| Date of Birth | |
| Personal licence number (if known) | 13961 |
| Issuing licensing authority (if known) | London Borough of Richmond |

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

None

L

Hours premises are open to the public

Standard days and timings (please read guidance note 7)

Day Monday Start Time 07:00:00 End Time 00:30:00

Day Tuesday Start Time 07:00:00 End Time 00:30:00

Day Wednesday Start Time 07:00:00 End Time 00:30:00

Day Thursday Start Time 07:00:00 End Time 01:30:00

Day Friday Start Time 07:00:00 End Time 03:30:00

Day Saturday Start Time 07:00:00 End Time 03:30:00

Day Sunday Start Time 07:00:00 End Time 01:30:00

State any seasonal variations (please read guidance note 5)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed above, please list (please read guidance note 6)

- From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- An additional hour to the terminal hour on the day that British Summertime commences.

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

a) General - all four licensing objectives (b, c, d and e)(please read guidance note 10)

The information provided in this box is solely for information only and not intended to be converted into conditions on the licence.]

Stonegate Pub Company Limited have owned and operated the Hereward since 2013.

The premises operate under Stonegate's 'Great Traditional Pubs' brand and provide a substantial quality food offering as well as entertainment in the form of music and other events and activities provided for customers.

The Hereward has the benefit of an existing premises licence, number 14/00715/LIQ_05.

The existing premises permits licensable activities from 11:00 hours to midnight Sunday to Wednesday and from 11:00 hours to 01:00 hours Thursday to Saturday. Opening hours, recorded music and films are permitted from 7am, and there is an additional 30 minutes drinking up time. In addition, the licence permits existing non-standard timings for New Year's Eve to New Year's Day and British Summertime.

This New Premises Licence Application seeks to extend the start time for licensable activities to commence at 9am (save for films and recorded music which will be 7am as per existing premises

licence), and to extend the permitted terminal hours on Fridays, Saturdays and Sundays. The application has also been submitted to update the premises licence conditions to ensure that they are suitable for the style of operation at the premises following pre-consultation with the Police Licensing officer, Licensing Authority Officer and Environmental Health. Much of the current operating schedule is replicated and offered as new updated conditions in boxes b) to e) below. However, new conditions are also offered which bolster the operating schedule ensuring it is robust, clear, appropriate and enforceable.

The inclusion of a new condition relating to the use of door staff and a body cam, which are not currently conditions on the premises licence, will help continue to promote the licensing objectives. In addition, the retention of the conditions regarding operation of the side external area will ensure that the premises does not cause a nuisance.

Given the changes proposed, the applicant has carefully considered the application, the effect of the licensing objectives and the Council's Licensing Policy. Steps have been taken to ensure that the application and proposed operation will continue to promote the licensing objectives without undermining the licensing objectives. In particular, pre-consultation on the application has taken place with the Licensing Officer, the Police Licensing Officer and Environmental Health Officer prior to submission of the application and their comments have been taken into consideration in preparing and submitting this application.

The purpose for seeking later hours comes from requests from our customers, who want to continue their night in a safe and comfortable environment, rather than leave and go to other premises. The applicant feels the extension of the terminal hours will ensure customers can stay in a well-managed, controlled and supervised environment for longer, if they wish (rather than go elsewhere), preventing double migration of customers leaving our premises and then another premises later on, as well as allowing a longer wind down period and a more gradual dispersal of customers which can be managed and contained, reducing impact on the area and licensing objectives by a mass dispersal at any one time.

Stonegate are an experienced licensed operator and have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to a high standard and promotes the Licensing Objectives. These include policies regarding social responsibility, training, underage sales and challenge policies, incident logs, queuing policy, drugs and dispersal policy, and noise management and the management of outside areas policies as well as procedures to prevent crime and disorder and public nuisance. These robust policies and procedures that are already in place will continue to operate if the extended hours are granted.

In the event that this new premises licence is granted as applied for or in an acceptable form, the intention will be to surrender the existing premises licence number 14/00715/LIQ_05.

Considering the above, we believe that the New Premises Licence Application will not have an adverse impact on the licensing objectives. The Applicant believes that the new proposed conditions, along with existing measures within the operating schedule and robust internal policies in place, as well as experience of the applicant, will ensure the premises continues to promote the Licensing Objectives if the application is granted and further conditions are not required

b) The prevention of crime and disorder

Please see box a) above. In addition, the following new condition is proposed in the event that the application sought is granted as applied for:-

1. A CCTV system shall be installed at the premises and maintained in good working order and used at all times when the premises are open for licensable activities. Any CCTV footage shall be held for at least 28 days and shall be made available to an officer of the Licensing Authority or Police on reasonable request.
2. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
3. The need for door supervisors will be assessed by way of risk assessment and cognisance will be taken of any police advice.
4. There shall be a minimum of one body worn camera devices in use at the premises whenever door staff are on duty. The cameras will be used in accordance with the Information Commissioners Office Guidance. The body worn devices shall be capable of recording video (images) and sound. Recorded images shall be stored for a minimum of 31 days.
5. The premises shall maintain a written drugs policy, which shall be made available to the Police or an authorised officer of the Council upon request.
6. An incident log book (which may be electronic) shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
 - a. Any incidents of disorder
 - b. Any seizures of drugs or offensive weapons
 - c. Any ejections of patrons
7. The premises shall maintain a written dispersal policy, which shall be made available to the Police or an authorised officer of the Council upon request.

c) Public safety

We understand our obligations under existing legislation and take our responsibilities seriously.

d) The prevention of public nuisance

Please see box a) above. In addition, the following new condition is proposed in the event that the application sought is granted as applied for:-

1. Reasonable steps will be taken to recognise the rights of local residents and notices will be displayed at the premises exits requesting customers to leave quietly and reminding them that they are in a residential area.
2. All doors and windows to be kept shut, except for access and egress, after 23.00 hours when regulated entertainment in the form of live or recorded music is being played.

Chequers Lane Outside Seating Area Conditions

1. The following conditions apply to the external area adjacent to the side of the premise and adjacent to Chequers Lane, as edged on the plan lodged with the Licensing Authority showing that external area.
2. Whilst the external courtyard seating area adjacent to the side of the premises and adjacent to Chequers Lane is in use by the venue, it must be adequately supervised, checks must be made at half hourly intervals (this to include removal of empty glassware and breakages etc.), a log of such checks to be kept at site and available to the Police or a representative of the Licensing Authority upon reasonable request. Such records to be kept for a period of 3 months.

3. The area used to be clearly delineated by barriers provided by the venue and must be limited to four tables accommodating sixteen covers in all.
4. Whilst that area is in use by the venue, the staff shall use best endeavours to ensure that customers remain within the area delineated by the barriers provided by the venue.
5. Whilst the area is in use by the venue, staff must ensure any customers who may be smoking in that area do not encroach upon the public right of way, known as Chequers Lane and allow free and unfettered access to persons wishing to use it.
6. The external side courtyard seating area must not be used by the venue after 22:00hrs each evening.
7. Tables and chairs to be removed and securely stored away from the area as soon as reasonably practical after that time and in any event by 22:30hrs.
8. A CCTV camera must monitor the area whilst it is being used by the venue.
9. The Police will liaise with the Management concerning use of this area by the venue and in the event that there should be any issues that undermines one or more of the licensing objectives, the Management, having been notified, will use their best endeavours to address the situation in good time and if necessary remove the tables from use until such a time is agreed by the Police in writing that those concerns are addressed.
10. The Environmental Health Officer will liaise with the Management concerning use of this area by the venue and in the event that there should be any issues that undermine the public nuisance licensing objective, the Management having been notified will use their best endeavours to address the situation in good time and if such issue is not addressed and a public nuisance is proved, if necessary the tables and chairs will be removed from use until such time as it is agreed in writing by the Environmental Health Officer and those concerns are addressed.
11. Notices to be placed in the external area, asking customers to respect the needs of local residents.
12. Suitable notices to be placed asking customers to ensure that they remain within the approved area and do not take glass drinking vessels from that area.

e) The protection of children from harm

Please see box a) above. In addition, the following new condition is proposed in the event that the application sought is granted as applied for:-

1. Children must not be permitted on the premises after 9pm when regulated entertainment is provided (other than recorded music)
2. A proof of age scheme such as Challenge 21 will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
3. A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available to an authorised police officer and licensing authority officer upon request.
4. All bar staff to receive appropriate training in relation to alcohol sales prior to commencing their duties. This will include the premise licence conditions, underage sales policy and other relevant licensing matters. Training documents (which may be in an electronic format) shall be made available to an authorised police officer and licensing authority officer upon request.

Checklist

I am making a payment with this application, I have attached the plan of the premises, I have attached the consent form completed by the individual I wish to be designated premises supervisor (if applicable), I understand that I must now advertise my application, I understand that if I do not comply with the above requirements my application will be rejected

Upload any documents here : [sandbox-files://5bf7b6a540f1f632206710](#), [sandbox-files://5bf7b6a5596ec217030960](#)

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

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

Part 4 - Signatures

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12).
If signing on behalf of the applicant, please state in what capacity

Declaration

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

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

Fees

Amount Paid: 450

Payment Code: 9398LI001

Payment Reference: AP2/084418

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- **Dance:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- **Cross activity exemptions:** no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is

- provided by or on behalf of the school proprietor; and
- any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents

(which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK

and is allowed to work relation to the carrying on of a licensable activity.

- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of [permanent residence in the UK](#) or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;

(iii) any page containing the holder's signature;

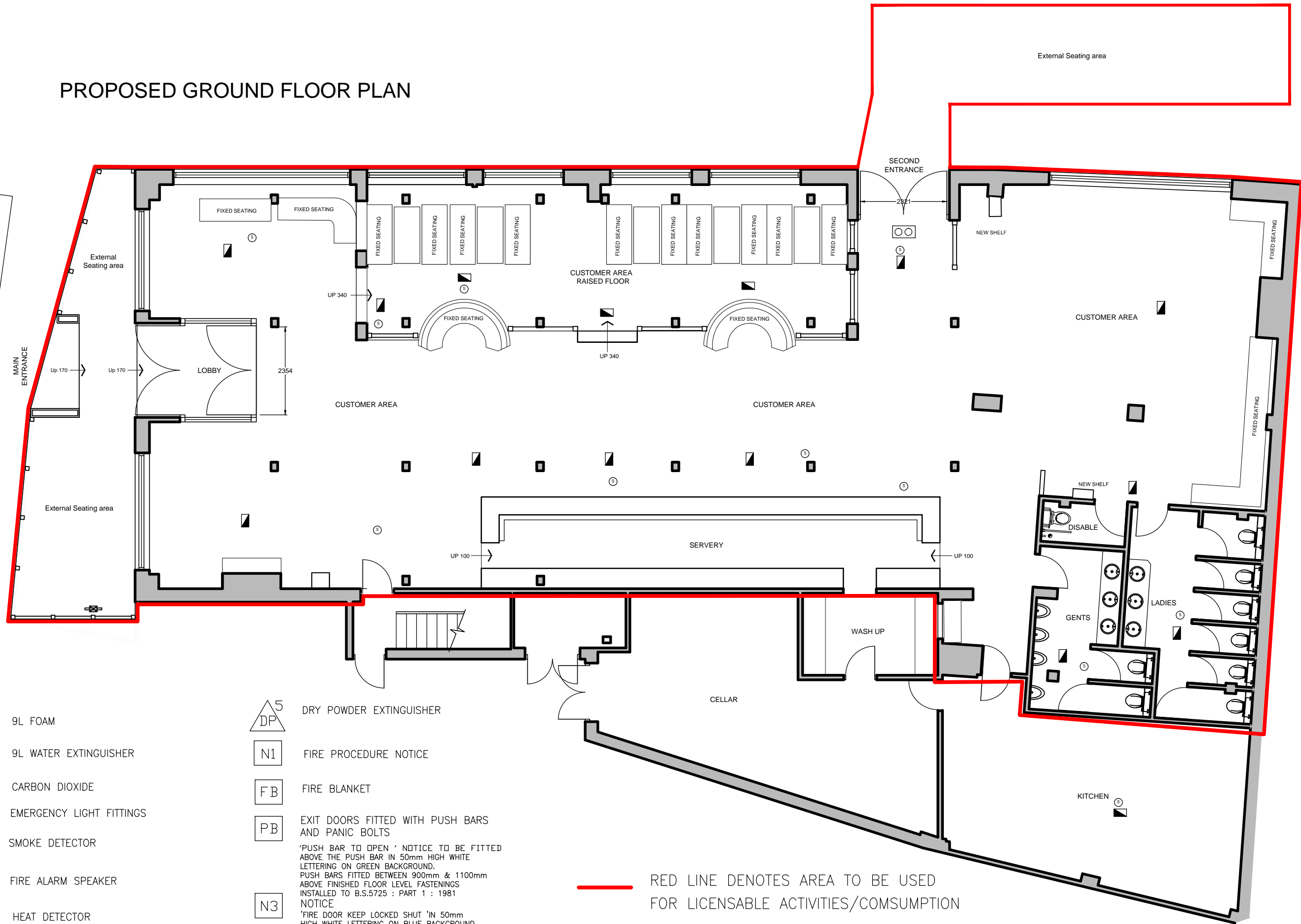
(iv) any page containing the date of expiry; and

(v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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

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

PROPOSED GROUND FLOOR PLAN



- | | | | |
|--|--|--|--|
| | 9L FOAM | | 5 DRY POWDER EXTINGUISHER |
| | 9L WATER EXTINGUISHER | | N1 FIRE PROCEDURE NOTICE |
| | CARBON DIOXIDE | | FB FIRE BLANKET |
| | EMERGENCY LIGHT FITTINGS | | PB EXIT DOORS FITTED WITH PUSH BARS AND PANIC BOLTS |
| | SMOKE DETECTOR | | N3 NOTICE 'PUSH BAR TO OPEN' NOTICE TO BE FITTED ABOVE THE PUSH BAR IN 50mm HIGH WHITE LETTERING ON GREEN BACKGROUND. PUSH BARS FITTED BETWEEN 900mm & 1100mm ABOVE FINISHED FLOOR LEVEL FASTENINGS INSTALLED TO B.S.5725 : PART 1 : 1981 |
| | FIRE ALARM SPEAKER | | N6 NOTICE 'FIRE DOOR KEEP LOCKED SHUT' IN 50mm HIGH WHITE LETTERING ON BLUE BACKGROUND. |
| | HEAT DETECTOR | | FD30 HALF HOUR FIRE RES S/C DOOR WITH S/SEAL |
| | ILLUMINATED EMERGENCY EXIT SIGN (MAINTAINED) | | |
| | FIRE ALARM CALL POINT | | |
| | BELL | | |

— RED LINE DENOTES AREA TO BE USED FOR LICENSABLE ACTIVITIES/COMSUMPTION

THE POSITION OF FIRE SAFETY EQUIPMENT AS SHOWN ON THE PLAN OR SUCH OTHER POSITION AS AGREED FROM TIME TO TIME IN CONSULTATION WITH THE FIRE AUTHORITY

Rev: A
 Drawing Number: 2867-81
 Scale: 1:100 @A3
 Project: The Hereward
 45 Market Street, Ely, CB7 4LT

August 2014

Pembrook Design
 Summit House, Horsecroft Road, The Pines, Harlow, Essex, CM19 5BN
 Tel: 01279 433688 Fax: 01279 433689

NOTE: CONTRACTORS ARE TO CHECK ALL SIZES AND DIMENSIONS BEFORE SETTING OUT ANY SITE OR SHOPWORK ANY ERRORS OR DISCREPANCIES TO BE REPORTED AND RESOLVED BY THE SITE SPECIFIC PROJECT DESIGNER/ BUILDER AND RESPECTIVE AGENTS.

Stewart Broome

From: Stewart Broome
Sent: 10 December 2018 14:11
To: Lin Bagwell
Subject: Hereward, Ely

Good afternoon Lin

I write further to considering the application for a new premises licence for the Hereward public house in Ely which effectively seeks to extend the hours currently permitted on their existing licence.

I have considered the application and the wording of the offered conditions on behalf of the licensing authority, and although I completely understand that it is the intention of the applicant to promote the licensing objectives, I do not believe that some of the offered conditions are sufficiently concise so as to be truly enforceable, and therefore provide the protections that the licensing authority would like to see in order to promote the licensing objectives.

Due to this I wish for you to consider this as a formal representation to the application.

Please note, I would be happy to offer no further opposition to the application if section M of the application was amended to reflect the following (Red text conditions are amended, blue text are the same as offered in your application):

Prevention of Crime and Disorder

1. A CCTV system shall be installed at the premises, maintained in good working order, and used at all times when the premises are open for licensable activities. This system shall cover entrances and exits, and points of sale, and be capable of recording and storing footage with a minimum colour resolution of 480p in both low light and normal light situations. All CCTV footage shall be held for at least 28 days and shall be made available to an officer of the Licensing Authority or Police upon request, providing any such request is in compliance with data protection laws.
2. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
3. Subject to their being a minimum of two door supervisors on duty from 9pm until the close of business on all Friday and Saturday evenings, the need for door supervisors will be assessed by way of risk assessment and cognisance will be taken of any police advice.
4. Whenever door supervisors are on duty they will wear body worn camera devices. The cameras will be used in accordance with the Information Commissioners Office Guidance. The body worn devices shall be capable of recording video (images) and sound. Recorded images shall be stored for a minimum of 28 days, and shall be made available upon request to the Police or a representative of the Licensing Authority, providing any such request is in compliance with data protection laws.
5. The premises shall maintain a written drugs policy, which shall be made available to the Police or an authorised officer of the Council upon request.
6. An incident log book (which may be electronic) shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
 - a. Any incidents of disorder
 - b. Any seizures of drugs or offensive weapons
 - c. Any ejections of patrons

7. The premises shall maintain a written dispersal policy, which shall be made available to the Police or an authorised officer of the Council upon request.

Prevention of Public Nuisance

1. Notices will be displayed at the premises exits requesting customers to leave quietly and staff will take reasonable steps to remind customers that they are in a residential area and to respect the neighbours at the close of business.
2. All doors and windows to be kept shut, except for access and egress, after 23.00 hours when regulated entertainment in the form of live or recorded music is being played.

Chequers Lane outside seating area.

The following conditions apply to the external area adjacent to the side of the premise and adjacent to Chequers Lane, as edged on the plan lodged with the Licensing Authority showing that external area:

1. Whilst the external courtyard seating area adjacent to the side of the premises and adjacent to Chequers Lane is in use by the venue, it must be adequately supervised, checks must be made at half hourly intervals (this to include removal of empty glassware and breakages etc.), a log of such checks to be kept at site and available to the Police or a representative of the Licensing Authority upon reasonable request. Such records to be kept for a period of 3 months.
2. The area used to be clearly delineated by barriers provided by the venue and must be limited to four tables accommodating sixteen covers in all.
3. Whilst that area is in use by the venue, the staff shall use best endeavours to ensure that customers remain within the area delineated by the barriers provided by the venue.
4. Whilst the area is in use by the venue, staff must ensure any customers who may be smoking in that area do not encroach upon the public right of way, known as Chequers Lane and allow free and unfettered access to persons wishing to use it.
5. The external side courtyard seating area must not be used by the venue after 22:00hrs each evening.
6. A member of staff or a door supervisor will be positioned to ensure that no person leaves the premises via the side exit leading onto Chequers Lane (except in the case of an emergency) after 22:00 hours.
7. Tables and chairs to be removed and securely stored away from the area as soon as reasonably practical after that time and in any event by 22:30hrs.
8. A CCTV camera capable of complying with "Prevention of Crime and Disorder - condition 1" above must monitor the area whilst it is being used by the venue.
9. The Police will liaise with the Management concerning use of this area by the venue and in the event that there should be any issues that undermines one or more of the licensing objectives, the Management, having been notified, will use their best endeavours to address the situation in good time and if necessary remove the tables from use until such a time is agreed by the Police in writing that those concerns are addressed.
10. The Environmental Health Officer will liaise with the Management concerning use of this area by the venue and in the event that there should be any issues that undermine the public nuisance licensing objective, the Management having been notified will use their best endeavours to address the situation in good time and if such issue is not addressed and a public nuisance is proved, if necessary the tables and chairs will be

removed from use until such time as it is agreed in writing by the Environmental Health Officer and those concerns are addressed.

11. Notices to be placed in the external area, asking customers to respect the needs of local residents.
12. Suitable notices to be placed asking customers to ensure that they remain within the approved area and do not take glass drinking vessels from that area.

Protection of Children from Harm

1. **Persons under the age of 18 must not be permitted on the premises after 9pm when regulated entertainment is provided (other than recorded music set an audible level conducive to normal conversation)**
2. A proof of age scheme such as Challenge 21 will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
3. A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available to an authorised police officer and licensing authority officer upon request.
4. All bar staff to receive appropriate training in relation to alcohol sales prior to commencing their duties. This will include the premise licence conditions, underage sales policy and other relevant licensing matters. Training documents (which may be in an electronic format) shall be made available to an authorised police officer and licensing authority officer upon request.

Please note, prior to composing this email I visited the premises and spoke to a gentleman called Simon who is the DPS. Simon advised that the management of the premises are already either complying with my suggested amendments already, or are very capable of complying with these amendments without additional costs being incurred.

Kind regards

Stewart.

Stewart Broome
Senior Licensing Officer
East Cambs District Council
The Grange
Nutholt Lane
Ely
CB7 4EE
01353 616287

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**THE LICENSING ACT 2003
REPRESENTATION FORM FOR “RESPONSIBLE AUTHORITY”**

| | |
|--------------------------------|--|
| Your name | Karen See |
| Job Title | Senior Environmental Health Officer |
| Postal Address (inc post code) | East Cambridgeshire District Council The Grange, Nutholt Lane, Ely, Cambs CB7 4PL |
| Contact telephone number: | 01353 665555 |
| Mobile Number: | |
| Email address: | Karen.see@eastcambs.gov.uk |

| | |
|--|---------------------------------------|
| Name of Premises you are making a representation about: | The Hereward |
| Address of the premises you are making a representation about: | 45-49 Market Street Ely CB7 4LT |

This section is about your representation/s. They must relate to one or more of the Licensing Objectives. Please detail the evidence supporting your representation, (under the relevant headings) and the reason for your representation/s. *It is important that you detail all matters that you wish to be considered. (Use additional sheets if necessary). Regulations provide that in considering representations the authority may take into account documentary or other information produced by the party either before the hearing or, with the consent of all parties, at the hearing.*

| | |
|--|---|
| Which licensing objective(s) does your representation relate to? | Please detail the evidence supporting your representation, or the reason/s for your representation. (Please use separate sheet if necessary) |
| The prevention of crime and disorder | Public safety |
| The prevention of public nuisance | The protection of children from harm |

The application site is situated within a city centre but it does have residential properties surrounding it.

I accept that attempts were made by the applicant to discuss their proposals with this Department prior to application stage. Time constraints meant detailed verbal discussions did not occur, as both parties would have liked, and although written advice and guidance on the type of conditions this Department would wish to see placed on any such extension of opening hours was sent through to the Agent in November, this Department's comments crossed over with their submission of the final application. I received the licensing consultation just after my advisory email was sent to the applicants. A copy of my email correspondence and original recommendations is attached for information.

Currently the license operator does appear to have in place good management protocols and employs methods that help to minimise adverse impacts from music and people noise at this site. Officers from this Department have worked with the premises in the past following receipt of noise complaints, and we feel the concerns were taken on board and were satisfactorily addressed.

However there is the now the potential for nuisance from the extension of the opening hours for regulated entertainment from 0100 hours to 0300 hours on Fridays and Saturdays and up to 0100 hours on Sundays. There is also the potential for nuisance from the movement of people into and out of the premises and from issues such as the emptying of refuse late at night, lighting until the early hours etc.

Although the applicant makes reference to the controls they will put in place to address the public nuisance objective this appears to focus on controlling people noise through the restricting and careful monitoring of the external seated area which will close at 2200 hours (as is currently the case) and a new condition requiring door supervisors to be employed with body cams. Such measures would not cover the

prevention of public nuisance from music emanating from the site. The use of door staff is proposed on a risk assessment basis and would therefore be relevant to crime and disorder issues, not how loud any music is, emanating from the site. There is the risk that every time someone enters or leaves the premises, particularly from the side door into the quieter pedestrian paved area, the music from inside will breakout and cause disturbance. I am therefore recommending conditions to restrict the use of this door to certain times, when regulated entertainment is occurring. The front entrance is more suitable for use late at night. Emergency exiting from the side door would however not have to be compromised. .

With later opening times there may also be the added issue of having greater amounts of waste bottles etc later at night. Emptying of waste into external receptacles late at night can be particularly disturbing due to the impact noises that occur.

I do not consider the application offers sufficient detail on how they will adequately minimise adverse impacts of late night music noise and people disturbance.

It is therefore necessary to raise a representation at this stage. However I am confident that suitable licence conditions can be agreed and applied to support the public nuisance prevention objective and am open to further discussions as to how this can best be achieved.

Suggested conditions that could be added to assist the licensing authority in determining this application, or other suggestions you would like the licensing authority to take into account. Please use separate sheets where necessary.

Prevention of Public Nuisance

1. Noise or vibration from licensable activities must not emanate from the premises so as to cause a nuisance to nearby premises.
2. Live or recorded music shall either cease at midnight on any night or if continuing after midnight it shall not be audible to the external of the premises when windows and doors are closed.
3. Regular aural monitoring of noise levels to take place outside the premises during events involving regulated entertainment by a member of the management team or an appointed member of staff and appropriate measures taken to reduce and control noise emissions at that time if considered to be a breach of condition 1 or if likely to cause excess disturbance to neighbouring properties.
4. An appropriate person to be made responsible for maintaining appropriate written monitoring records of noise levels during regulated entertainment and such records to be made available to the Local Authority on request.
5. Recorded or live music for the final **30** minutes on any night to be reduced to a levels that are considered to be background levels inside.
6. Doors to the external and to internal lobby areas to be fitted with self-closing mechanisms and devices to ensure quiet self-closing.
7. All doors and windows, except when used for entry or exit, shall be kept closed during regulated entertainment.
8. The side door shall not be used for entry or exit after 2300 hours on any night, except in the case of an emergency.
9. Clear and legible notices to be prominently displayed at all premises exits requesting patrons to respect the needs of local residents and to leave the premises quietly.
10. The placing of refuse and empty bottles into outside receptacles shall not take place during the night-time hours of 23:00 and 07:00 to minimize disturbance to nearby properties.
11. Clear and legible notices to be prominently displayed in the smoking area of the premises requesting patrons to respect the needs of local residents and to act in an appropriate manner and keep noise to an acceptable level whilst in the smoking area.
12. Lighting provided in the outside areas to be designed and sited so as not to cause excess glare or light overspill onto neighbouring properties.

Representation for the removal of the Designated Premises Supervisor (*for Police use only*).

If the licensing authority considers that relevant representations are made the licensing section may consider arranging a mediation meeting between the relevant parties (if all agree) to try and reach a settlement. If this informal process is unsuccessful a hearing before the Licensing [Sub-] Committee will follow, unless the interested parties withdraw their representations.

All representations in their entirety will be disclosed to the applicant for the premises licence.

SignedK See..... Date ...20th December 2018

...Karen See, Senior Environmental Health Officer...
Please print designation

Please return this form along with any additional sheets to:

Licensing Team
Environmental Services
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
CB7 4PL

Telephone: 01353 665555

Email: licensing@eastcambs.gov.uk

This form must be returned within the Statutory Period, which is 28 days from the day after the day on which the applicant gave the application to the licensing authority.

However, because of the tight timescales involved, and to assist in the determination of the application process, any representations should be forwarded to the licensing authority AS SOON AS POSSIBLE and preferably within 14 days of notification of the application.

If in any doubt, please contact the Licensing Team on the above telephone number.

Stewart Broome

Subject: FW: Hereward, Ely - New Premises Licence (extension of hours) - EHO request for conditions

From: Suraj Desor
Sent: 23 November 2018 15:44
To: Karen See <Karen.See@eastcambs.gov.uk>
Cc: Helen Ward
Subject: Hereward, Ely - New Premises Licence (extension of hours) - EHO request for conditions

Dear Karen,

Thank you for your email and requested conditions. As mentioned in my previous email, the application has already been submitted as per the draft. However, my colleague Helen Ward will be dealing with this matter on her return next week and will look to discuss your request for additional conditions with you and take instructions from our Client as appropriate.

I have copied Helen in for reference.

Kind regards.

Suraj Desor

Suraj Desor | Solicitor
Poppleston Allen

W: www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS



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THE TIMES
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From: Karen See [<mailto:Karen.See@eastcambs.gov.uk>]
Sent: 23 November 2018 10:51
To: Suraj Desor; Helen Ward
Cc: Christopher Smith
Subject: Hereward, Ely - New Premises Licence (extension of hours) - Finalised draft application for reference and comments

Dear Sirs,

In principal I would not have a formal objection to the proposal to increase opening hours to 0300 hours on Fri-Sat and 0100 hours on Thu and Sunday and midnight on the other days. However I would wish to see certain conditions

attached to any application (in addition to those you have already suggested) that would assist in ensuring that music noise does not emanate from the site to cause a nuisance to neighbouring residents.

You state that a new condition requiring door supervisors to be employed with body cams would help achieve the licensing objectives but this would not cover public nuisance from music emanating from the site. The use of door staff is proposed on a risk assessment basis and would therefore be relevant to crime and disorder issues, not how loud any music is, emanating from the site.

One of our main concerns is the potential for disturbance from the use of the external area and the breakout of music noise when this side door is opened and closed. You will adequately address the noise from patrons using the external seating area by retaining the conditions that restrict its use after 2200 hours, however if music is continuing much later inside the premises there is the risk that every time someone enters or leaves the premises the music will break out and cause disturbance. Therefore it would be appropriate for controls to be placed on the times that this side door could be used for normal entry and exit. I am therefore recommending it is restricted in its use after 2300 when regulated entertainment is occurring, for example when there is a live band or a karaoke night. The front entrance is more suitable for use late at night. Emergency exit from the side door would however not have to be compromised.

The following conditions are in line with other premises in similar situations and would provide some assurances that noise levels were being controlled and systems are put in place to require staff to properly monitor and, if applicable, moderate the levels at the site.

I would propose the following as suitable conditions to achieve this:

Prevention of Public Nuisance

1. Noise or vibration from licensable activities must not emanate from the premises so as to cause a nuisance to nearby premises.
2. Live or recorded music shall either cease at midnight on any night or if continuing after midnight it shall not be audible to the external of the premises when windows and doors are closed.
3. Regular aural monitoring of noise levels to take place outside the premises during events involving regulated entertainment by a member of the management team or an appointed member of staff and appropriate measures taken to reduce and control noise emissions at that time if considered to be a breach of condition 1 or if likely to cause excess disturbance to neighbouring properties.
4. An appropriate person to be made responsible for maintaining appropriate written monitoring records of noise levels during regulated entertainment and such records to be made available to the Local Authority on request.
5. Recorded or live music for the final 30 minutes on any night to be reduced to a levels that are considered to be background levels inside.
6. Doors to the external and to internal lobby areas to be fitted with self-closing mechanisms and devices to ensure quiet self-closing.
7. All doors and windows, except when used for entry or exit, shall be kept closed during regulated entertainment.
8. The side door shall not be used for entry or exit after 2300 hours on any night, except in the case of an emergency.
9. Clear and legible notices to be prominently displayed at all premises exits requesting patrons to respect the needs of local residents and to leave the premises quietly.
10. The placing of refuse and empty bottles into outside receptacles shall not take place during the night-time hours of 23:00 and 07:00 to minimize disturbance to nearby properties.
11. Clear and legible notices to be prominently displayed in the smoking area of the premises requesting patrons to respect the needs of local residents and to act in an appropriate manner and keep noise to an acceptable level whilst in the smoking area.

12. Lighting provided in the outside areas to be designed and sited so as not to cause excess glare or light overspill onto neighbouring properties.

Please contact me should you wish to discuss any of the above points.

Kind regards

Karen See

Senior Environmental Health Officer (P/T) Alternate Weds, Thurs and Fridays.

East Cambridgeshire District Council, The Grange, Nutholt Lane, Ely, Cambs CB7 4EE

Tel: 01353 665555 (Main Switchboard)

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**THE LICENSING ACT 2003
REPRESENTATION FORM FOR OTHER PERSONS**

An 'other person' is any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates regardless of the geographic proximity to the premises.

| | |
|--------------------------------|--|
| Full name | NIGEL WRIGHT |
| Title | OWNER |
| Postal address (inc post code) | 12 CHEQUER LAVE ELY CAMBS CB1 4LW |
| Contact telephone number | [REDACTED] |
| Mobile telephone number | N/A |
| Email address | [REDACTED] |

| | | |
|---|---------------------------|--|
| Name of premises you are making a representation about | HEREWARD PUB | EAST CAMBRIDGESHIRE |
| Address of the premises you are making a representation about | MARKET ST ELY CAMBS | 03 DEC 2018 DMS DISTRICT COUNCIL |

This section is about your representation which must relate to one or more of the Licensing Objectives.

Please detail the evidence supporting your representation under the relevant headings, the reason for raising the representation and include all matters you wish to be considered (use additional sheets if necessary).

When considering representations the Licensing Authority may take into account documentary evidence or other information produced by 'other persons' either before the hearing or, with the consent of all parties, at the hearing.

| | |
|--|--|
| Which licensing objective(s) does your representation relate to? | Detail the evidence supporting your representation, or the reason(s) for your representation (use additional sheets if necessary) |
| EXTENDED HOURS | |
| The prevention of crime and disorder MORE ANTISOCIAL BEHAVIOUR NO CCTV - LATE OPENING CAUSES DRUNKENNESS WHICH CAUSES CRIMINAL DAMAGE OUR SHOP GETS VOMIT, URINE AND RUBBISH IN OUR DOORWAY NOW. EXTRA STRAIN ON | Public safety ALCOHOL FUELED ANTI SOCIAL BEHAVIOUR URINE, VOMIT IN OUR SHOP DOORWAY. DISTURB NEIGHBOURS PEOPLE TAKE ADVANTAGE OF PARKING IN A LOADING UNLOADING ONLY SPACE LATE AT NIGHT. POLICE |

The prevention of public nuisance

IF ALCOHOL IS SERVED
LATER AND HOURS OF
OPENING ARE LATER
THIS CAUSES A PROBLEM
WITH ALCOHOL FUELED
FIGHTS, CRIMINAL DAMAGE
ESPECIALLY LATE AT NIGHT.

The protection of children from harm

N/A.

Suggested conditions that could be added to assist the Licensing Authority in determining this application, or other suggestions you would like the Licensing Authority to take into account (use additional sheets if necessary) WE ARE A SHOP NEXT DOOR TO THIS ESTABLISHMENT WHO REGULARLY HAS TO PUT UP WITH VOMIT, URINE AND RUBBISH ALL IN OUR PORCH DOORWAY AS THIS IS USED AS A SHELTER AT NIGHT FOR SMOKING ETC FOOD GETS THROWN AT OUR WINDOWS - WHAT IS NEXT A BROKEN WINDOW? EXTENDED HOURS WOULD CAUSE US MORE OF THE ABOVE. WE HAVE NO CCTV. POLICE HAVE ALL BEEN CUT BACK.

If the Licensing Authority considers that relevant representations have been raised, a mediation meeting between the relevant parties (if all agree) may be arranged to try to reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub-Committee will be arranged unless all representations are withdrawn.

All representations in their entirety will be disclosed to the applicant for a premises licence or club premises certificate.

Signed Date 29/11/18

Please print designation MR NIKEL WRIGHT

Please return this form along with any additional sheets to:

Licensing Team
Environmental Services
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
CB7 4EE

Telephone: 01353 665555

Email: licensing@eastcambs.gov.uk

This form must be returned within the statutory period, which is 28 days from the day after the day on which the applicant served the application on the Licensing Authority.

Due to tight timescales involved and to assist the determination of the application process any representations should be forwarded to the Licensing Authority as soon as possible and preferably within 14 days of notification of the application.

If in any doubt, please contact the Licensing Team as above.



**THE LICENSING ACT 2003
REPRESENTATION FORM FOR OTHER PERSONS**

An 'other person' is any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates regardless of the geographic proximity to the premises.

| | |
|--------------------------------|--|
| Full name | THOMAS PAISLEY |
| Title | Mr |
| Postal address (inc post code) | 1 CHEQUER LANE ELY CB7 4LN (Adjacent to the Hereward Pub) |
| Contact telephone number | [REDACTED] |
| Mobile telephone number | [REDACTED] |
| Email address | [REDACTED] |

| | |
|---|--|
| Name of premises you are making a representation about | THE HEREWARD PUB (STONEGATE PUB COMPANY LTD) |
| Address of the premises you are making a representation about | 45 MARKET STREET, ELY, CAMBRIDGESHIRE |

This section is about your representation which must relate to one or more of the Licensing Objectives.
Please detail the evidence supporting your representation under the relevant headings, the reason for raising the representation and include all matters you wish to be considered (use additional sheets if necessary).
When considering representations the Licensing Authority may take into account documentary evidence or other information produced by 'other persons' either before the hearing or, with the consent of all parties, at the hearing.

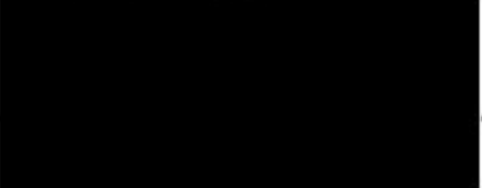
| | |
|---|---|
| Which licensing objective(s) does your representation relate to? EXTENSION OF LICENSED OPENING HOURS. APPLICATION: 18/00977/LIQ_02 | Detail the evidence supporting your representation, or the reason(s) for your representation (use additional sheets if necessary) |
| The prevention of crime and disorder There are frequent and extended incidents of physical fighting, shouting and screaming on Friday and Saturday evenings (and into the following early morning hours) when intoxicated people leave the Hereward Pub. The intimidating noise and bad language disturbs my family - including our two young children - in the night. | Public safety The pedestrianised area to the side of the Hereward Pub is often used by its customers for drinking and smoking. There is often broken glass, vomit and discarded food packaging left all over the area, which is a hazard to families using the square the following morning. Extending the licensing hours will surely worsen the situation. |

Extending the licensing hours will no doubt exasperate the problem which is detrimental to our well being.

| | |
|--|---|
| <p>The prevention of public nuisance There are currently frequent and extended incidents of physical fighting, shouting and screaming on Friday and Saturday evenings (and into the following early morning hours) when people leave the Hereward Pub. The intimidating noise and bad language disturbs my family - including our two young children - in the night. Extending the licensing hours will no doubt exasperate the problem.</p> | <p>The protection of children from harm</p> |
| <p>Suggested conditions that could be added to assist the Licensing Authority in determining this application, or other suggestions you would like the Licensing Authority to take into account (use additional sheets if necessary)</p> <p>Given the current absence of police presence in the early hours of Saturday and Sunday morning, I fear the extension of the licensing hours will cause further problems for us and other residents.</p> <p>I fail to see a benefit to the city or its residents by extending the opening hours of a venue which is already open until 2am two nights a week.</p> | |

If the Licensing Authority considers that relevant representations have been raised, a mediation meeting between the relevant parties (if all agree) may be arranged to try to reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub-Committee will be arranged unless all representations are withdrawn.

All representations in their entirety will be disclosed to the applicant for a premises licence or club premises certificate.

Signed ...  Date 3rd Dec 2018

Please print designation MR THOMAS PAISLEY

Please return this form along with any additional sheets to:

Licensing Team
Environmental Services
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
CB7 4EE

Telephone: 01353 665555

Email: licensing@eastcambs.gov.uk

This form must be returned within the statutory period, which is 28 days from the day after the day on which the applicant served the application on the Licensing Authority.

Due to tight timescales involved and to assist the determination of the application process any representations should be forwarded to the Licensing Authority as soon as possible and preferably within 14 days of notification of the application.

If in any doubt, please contact the Licensing Team as above.



**THE LICENSING ACT 2003
REPRESENTATION FORM FOR OTHER PERSONS**

An 'other person' is any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates regardless of the geographic proximity to the premises.

| | |
|--------------------------------|---|
| Full name | MARIE PAISLEY |
| Title | Mrs |
| Postal address (inc post code) | CHEQUER STUDIO 1A CHEQUER LANE ELY CB7 4LN |
| Contact telephone number | [REDACTED] |
| Mobile telephone number | [REDACTED] |
| Email address | [REDACTED] |

| | |
|---|--|
| Name of premises you are making a representation about | THE HEReward PUB (STONEGATE PUB COMPANY LTD) |
| Address of the premises you are making a representation about | 45 MARKET STREET, ELY, CAMBRIDGESHIRE |

| | |
|---|---|
| <p>This section is about your representation which must relate to one or more of the Licensing Objectives. Please detail the evidence supporting your representation under the relevant headings, the reason for raising the representation and include all matters you wish to be considered (use additional sheets if necessary). When considering representations the Licensing Authority may take into account documentary evidence or other information produced by 'other persons' either before the hearing or, with the consent of all parties, at the hearing.</p> | |
| Which licensing objective(s) does your representation relate to? EXTENSION OF LICENSED OPENING HOURS. APPLICATION: 18/00977/LIQ_02 | Detail the evidence supporting your representation, or the reason(s) for your representation (use additional sheets if necessary) |
| The prevention of crime and disorder I frequently have to clean up litter, urine and vomit from the entrance to my business "Chequer Studio" which is caused by people leaving The Hereward Pub in the early hours fo the morning. This damage to private property will no doubt happen more frequently if the pub is allowed to open later . | Public safety |

| | |
|---|---|
| <p>The prevention of public nuisance</p> <p>As a resident of the area, I am greatly concerned about the late night noise and the damage to the reputation of the local area and therefore the value of my home and business.</p> | <p>The protection of children from harm</p> |
| <p>Suggested conditions that could be added to assist the Licensing Authority in determining this application, or other suggestions you would like the Licensing Authority to take into account (use additional sheets if necessary)</p> <p>I believe, given the problems caused by customers of the Hereward Pub, the council should be considering reducing its opening hours, not extending them. The pub is an asset to the area when functioning as a family restaurant and local pub, but as a late-night venue it only serves to drag the area down.</p> | |

If the Licensing Authority considers that relevant representations have been raised, a mediation meeting between the relevant parties (if all agree) may be arranged to try to reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub-Committee will be arranged unless all representations are withdrawn.

All representations in their entirety will be disclosed to the applicant for a premises licence or club premises certificate.

Signed  Date 3rd Dec 2018

Please print designation MRS MARIE PAISLEY

Please return this form along with any additional sheets to:

Licensing Team
 Environmental Services
 East Cambridgeshire District Council
 The Grange
 Nutholt Lane
 Ely
 CB7 4EE

Telephone: 01353 665555

Email: licensing@eastcambs.gov.uk

This form must be returned within the statutory period, which is 28 days from the day after the day on which the applicant served the application on the Licensing Authority.

Due to tight timescales involved and to assist the determination of the application process any representations should be forwarded to the Licensing Authority as soon as possible and preferably within 14 days of notification of the application.

If in any doubt, please contact the Licensing Team as above.

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 3:09 PM on 21 Dec 2018 from Miss Natalie Blaken.

Application Summary

Address: 45 Market Street Ely Cambridgeshire CB7 4LZ

Proposal: Premises Licence

Case Officer: Caroline Littleboy

[Click for further information](#)

Customer Details

Name: Miss Natalie Blaken

Email:

Address: 2 Nutholt Lane, Ely, Cambridgeshire CB7 4PL

Comments Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Licensing Application

Reasons for comment:
- Noise Disturbance
- Opening Hours

Comments: 3:09 PM on 21 Dec 2018 Market Street is a mixed use area with residential and commercial premises - indeed planning permission has recently been granted for 3 additional homes at the front of Central Hall, opposite the Hereward. The proliferation of late night clubs and music venues is not compatible with a mixed use residential area at 3:30 am even if managed controls are in place within the premises particularly as there are currently only 2 police officers for Ely and surrounding villages in total.

If consent is to be granted safeguarding conditions are required - best practice from adjacent local authorities suggests:

Noise limitators regulatory device determined by the nature and how amplified music is generated, shall be installed and preset to a noise level by an acoustic consultant or other competent person engaged by the applicant, to the satisfaction of the Environmental Protection Manager.

No amplified or unamplified music and or voice will be played in or transmitted to the garden / seating area, the entrance foyer area

The Premises Supervisor shall ensure that music form

the premises does not cause a public nuisance by ensuring that the music and voices are inaudible at the boundary of any properties where the occupiers are likely to be sensitive to noise

When any entertainment is held the external garden / seating area shall not be used.

No use of external area such as tables chairs outside smoking areas after 11pm at any time

When any regulated entertainment is held all the external tables and seats shall be removed or stacked and secured so that they cannot be used by patrons, after this time.

All external doors and windows including the doors / windows to the seating area shall be kept shut at all times, apart from the main entrance door/s which shall be kept closed so far as reasonably practicable

Hereward, Ely – New Premises Licence Application

Proposed Amended Operating Schedule

1. A CCTV system shall be installed at the premises, maintained in good working order, and used at all times when the premises are open for licensable activities. This system shall cover entrances and exits, and points of sale, and be capable of recording and storing footage and be of evidential quality. All CCTV footage shall be held for at least 28 days and shall be made available to an officer of the Licensing Authority or Police upon request, providing any such request is in compliance with data protection laws.
2. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
3. The need for door supervisors will be assessed by way of risk assessment and cognisance will be taken of any police advice. Where the premises trades for the sale of alcohol until 3am on a Friday or Saturday, a minimum of two door supervisors shall be on duty from 9pm until close.
4. There shall be a minimum of one body worn camera devices in use at the premises whenever door staff are on duty. The cameras will be used in accordance with the Information Commissioners Office Guidance. The body worn devices shall be capable of recording video (images) and sound. Recorded images shall be stored for a minimum of 31 days.
5. The premises shall maintain a written drugs policy, which shall be made available to the Police or an authorised officer of the Council upon request.
6. An incident log book (which may be electronic) shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
 - a. Any incidents of disorder
 - b. Any seizures of drugs or offensive weapons
 - c. Any ejections of patrons
7. The premises shall maintain a written dispersal policy, which shall be made available to the Police or an authorised officer of the Council upon request.
8. All doors and windows to be kept shut, except for access and egress, after 23.00 hours when regulated entertainment in the form of live or recorded music is being played.
9. Noise or vibration from licensable activities must not emanate from the premises so as to cause a nuisance to nearby premises.
10. Regular aural monitoring of noise levels to take place outside the premises during events involving regulated entertainment in the form of live or DJ led entertainment and appropriate measures taken to reduce and control noise emissions at that time if considered to have the potential to cause a nuisance or if likely to cause excess disturbance to neighbouring properties. An appropriate person to be made responsible for maintaining appropriate written monitoring records of noise levels during such regulated entertainment and records to be made available to the Local Authority on request.
11. Doors to the external and to internal lobby areas to be fitted with self-closing mechanisms and devices to ensure quiet self-closing.
12. Signage shall be in place notifying customers that the side door shall not be used for entry or exit after 2300 hours on any night, except in the case of an emergency.
13. Clear and legible notices to be prominently displayed at all premises exits and in the smoking area requesting patrons to respect the needs of local residents and to leave the premises quietly.
14. The placing of refuse and empty bottles into outside receptacles shall not take place during the night-time hours of 23:00 and 07:00 to minimize disturbance to nearby properties
15. Lighting provided in the outside areas to be designed and sited so as not to cause excess glare or light overspill onto neighbouring properties.
16. Persons under the age of 18 must not be permitted on the premises after 9pm when regulated entertainment in the form of live music or DJ led entertainment is provided.

Hereward, Ely – New Premises Licence Application

Proposed Amended Operating Schedule

17. A proof of age scheme such as Challenge 21 will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
18. A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available to an authorised police officer and licensing authority officer upon request.
19. All bar staff to receive appropriate training in relation to alcohol sales prior to commencing their duties. This will include the premise licence conditions, underage sales policy and other relevant licensing matters. Training documents (which may be in an electronic format) shall be made available to an authorised police officer and licensing authority officer upon request.

Chequers Lane Outside Seating Area Conditions

20. The following conditions apply to the external area adjacent to the side of the premise and adjacent to Chequers Lane, as edged on the plan lodged with the Licensing Authority showing that external area.
21. Whilst the external courtyard seating area adjacent to the side of the premises and adjacent to Chequers Lane is in use by the venue, it must be adequately supervised, checks must be made at half hourly intervals (this to include removal of empty glassware and breakages etc.), a log of such checks to be kept at site and available to the Police or a representative of the Licensing Authority upon reasonable request. Such records to be kept for a period of 3 months.
22. The area used to be clearly delineated by barriers provided by the venue and must be limited to four tables accommodating sixteen covers in all.
23. Whilst that area is in use by the venue, the staff shall use best endeavours to ensure that customers remain within the area delineated by the barriers provided by the venue.
24. Whilst the area is in use by the venue, staff must use best endeavours to ensure any customers who may be smoking in that area do not encroach upon the public right of way, known as Chequers Lane and allow free and unfettered access to persons wishing to use it.
25. The external side courtyard seating area must not be used by the venue after 22:00hrs each evening.
26. Tables and chairs to be removed and securely stored away from the area as soon as reasonably practical after that time and in any event by 22:30hrs.
27. A CCTV camera, which complies with the CCTV requirements set out in condition 1, must monitor the area whilst it is being used by the venue.
28. The Police will liaise with the Management concerning use of this area by the venue and in the event that there should be any issues that undermines one or more of the licensing objectives, the Management, having been notified, will use their best endeavours to address the situation in good time and if necessary remove the tables from use until such a time is agreed by the Police in writing that those concerns are addressed.
29. The Environmental Health Officer will liaise with the Management concerning use of this area by the venue and in the event that there should be any issues that undermine the public nuisance licensing objective, the Management having been notified will use their best endeavours to address the situation in good time and if such issue is not addressed and a public nuisance is proved, if necessary the tables and chairs will be removed from use until such time as it is agreed in writing by the Environmental Health Officer and those concerns are addressed.
30. Suitable notices to be placed asking customers to ensure that they remain within the approved area and do not take glass drinking vessels from that area.

TITLE: APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE - LICENSING ACT 2003

Committee: Licensing Sub-Committee

Date: 10 January 2019

Author: Lin Bagwell, Licensing Enforcement Officer

[T174]

1.0 PURPOSE/SUMMARY OF REPORT

1.1 To determine an application for the grant of a new premises licence in respect of The Hereward, 45 Market Street, Ely, Cambridgeshire, CB7 4LZ.

2.0 RECOMMENDATION(S)

2.1 That Members consider the content of this report, and all evidence provided during the hearing, and determine the application in accordance with the options contained in paragraph 4.2 of this report.

3.0 BACKGROUND/OPTIONS

3.1 Premises History

The premises have been licensed since the Licensing Act 2003 commenced in 2005. The current licence is held by the applicant for the new premises licence, Stonegate Pub Company Limited. The existing licence (**Appendix 1**) permits the following:

| Licensable Activity | Proposed Hours |
|---|--|
| Sale by retail of alcohol for consumption on and off the premises | 11:00 to 00:00 Sunday to Wednesday |
| Indoor sporting events | |
| Live music | |
| Performance of dance | |
| Sale by retail of alcohol for consumption on and off the premises | 11:00 to 01:00 Thursday to Saturday |
| Indoor sporting events | |
| Live music | |
| Performance of dance | |
| Exhibition of film and recorded music | 07:00 to 00:00 Sunday to Wednesday |
| | 07:00 to 01:00 Thursday to Saturday |

| | |
|------------------------|--|
| Late night refreshment | 23:00 to 00:00 Sunday to Wednesday |
| | 23:00 to 01:00 Thursday to Saturday |

| | |
|---------------|--|
| Opening Hours | 07:00 to 00:30 Sunday to Wednesday |
| | 07:00 to 01:30 Thursday to Saturday |

All activities to be permitted from the end of permitted hours on New Year's Eve through to the start of permitted hours on New Year's Day, and an additional hour to the terminal hour on the day that British Summertime commences.

3.2 The venue is one of the main entertainment venues in the city, and is very popular at all times of the day and night, appealing to a wide range of ages at the different times they trade. Records show that their compliance is very good.

3.3 The premises has planning permission with the following condition:

The use hereby permitted shall not be open to customers outside the following times unless otherwise agreed in writing by the Local Planning Authority: 11am to 00:30 Mondays to Wednesdays, 11am to 01:30 hours Thursday to Saturday, and 11am to 00:30 hours on Sundays.

Details of new application

3.4 On 23 December 2018 Stonegate Pub Company Limited applied for a Premises Licence under section 17 of the Licensing Act 2003 for The Hereward, 45 Market Street, Ely, Cambridgeshire, CB7 4LZ hire, CB6 2FE (**Appendix 2**). The application was served on the responsible authorities and advertised in accordance with the regulations of the Licensing Act 2003.

3.5 The applicant has applied for a licence that requests the following:

| Licensable Activity | Proposed Hours |
|---|--------------------------------------|
| Sale by retail of alcohol for consumption on and off the premises | 9:00 to 00:00 Monday to Wednesday |
| Indoor sporting events | |
| Live music | |
| Performance of dance | |
| Sale by retail of alcohol for consumption on and off the premises | 9:00 to 03:00 Friday and Saturday |
| Indoor sporting events | |
| Live music | |
| Performance of dance | |

| | |
|---|---------------------------------------|
| Sale by retail of alcohol for consumption on and off the premises | 09:00 to 01:00 Thursday and Sunday |
| Indoor sporting events | |
| Live music | |
| Performance of dance | |
| Exhibition of films and recorded music | 07:00 to 00:00 Monday to Wednesday |
| | 07:00 to 03:00 Friday and Saturday |
| | 07:00 to 01:00 Thursday and Sunday |
| Late night refreshment | 23:00 to 00:00 Monday to Wednesday |
| | 23:00 to 03:00 Friday and Saturday |
| | 23:00 to 01:00 Thursday and Sunday |

| | |
|---------------|---------------------------------------|
| Opening Hours | 07:00 to 00:30 Monday to Wednesday |
| | 07:00 to 03:30 Friday and Saturday |
| | 07:00 to 01:30 Thursday and Sunday |
| | |

All activities to be permitted from the end of permitted hours on New Year's Eve through to the start of permitted hours on New Year's Day, and an additional hour to the terminal hour on the day that British Summertime commences.

- 3.6 For the sake of clarity, the applicant is seeking to open two hours later on Friday and Saturday evenings, and one hour later on Sunday evenings, and they are looking to commence alcohol sales two hours earlier in the morning along with associated entertainment than their current licence permits.
- 3.7 The applicant has offered steps that they are willing to take to promote the licensing objectives. These can be found in section M of **Appendix 2** to this report. These steps were submitted following conversations with the Police prior to submitting the application.
- 3.8 The premises designated premises supervisor submitted a Temporary Event Notice to open until 02:00am on the morning of Saturday 15th and Sunday 16th December. No complaints were received following this event period.

Relevant Representations

- 3.8 During the consultation period the Licensing Authority in its role as a Responsible Authority under the Act submitted a valid representation (**Appendix 3**). Environmental Health also submitted a valid representation

(**Appendix 4**). No other representations were received from any other responsible authorities.

3.9 A total of four valid representations were received from other persons permitted by the Licensing Act 2003 to submit representations (**Appendix 5**).

3.10 At the time of writing this report no agreement had been reached between those parties submitting representations and the applicant.

4.0 CONCLUSIONS/DETERMINATION OF APPLICATION

4.1 Members are obliged to determine this application with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

In making their decision Members are also obliged to have regard to the Statutory Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. Should Members depart from either they must specify their reasons for doing so. Members must also take into account the information contained within this report, and the evidence submitted, both written (if submission of such information is agreed by all parties at the hearing) and orally during the hearing.

4.2 Members can determine the premises licence application as follows:

- a) to grant the premises licence subject to:
 - (i) the conditions that are consistent with the operating schedule accompanying the application modified to such extent as Members consider necessary for the promotion of the licensing objectives; and
 - (ii) any mandatory conditions that must be included in the licence;
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) to refuse to specify a person in the licence as the premises supervisor; or
- (d) to reject the application.

4.3 Members are asked to note that they may not modify or impose new conditions, or reject the whole or part of the application merely because they consider it desirable to do so. It must actually be **appropriate** to do so in order to promote

the licensing objectives, and any such step must relate to the actual representations made.

4.4 In determining the premises licence application, Members must provide the reasons for their decisions, and consider their responsibilities under the Human Rights Act 1998, when balancing the rights of the applicant and the rights on those who may be affected.

4.5 Any decision taken must be appropriate and proportionate to the objective being pursued. In particular the following should be taken into consideration:

Article 6 – the right to a fair hearing

Article 8 – respect for private and family life

Article 1, First protocol – peaceful enjoyment of possessions (which can include the possession of a licence)

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 The cost of convening a Licensing Sub-Committee to determine an application is covered by the fees paid by licence applicants.

5.2 Should there be a decision to modify the premises operating schedule, exclude a licensable activity from the scope of the licence, refusal to specify a person as the designated premises supervisor or reject the application, the applicant can appeal to the Magistrates' Court. There will be costs associated with this process. The right of appeal is 21 days from the date of notification of the decision.

5.3 Any party who made relevant representations in relation to the application may appeal the decision. There will be costs associated with this process. The right of appeal is 21 days from the date of notification of the decision.

5.4 Equality Impact Assessment (INRA) is not required, as this does not relate to a service provided by the Council or a decision on a change of policy, but an application for a licence by an individual/ organisation.

6.0 APPENDICES

6.1 Appendix 1 Existing premises licence

6.2 Appendix 2 New application paperwork

6.3 Appendix 3 Representation from Stewart Broome, Senior Licensing Officer.

6.4 Appendix 4 Representation from Karen See, Senior Environmental Health Officer

6.5 Appendix 5 Representations from other persons

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer</u> |
|---|---------------------------------|--|
| Licensing Act 2003 | Room SF208 The Grange Ely | Lin Bagwell Licensing Officer 01353 616477 lin.bagwell@eastcambs.gov.uk |
| Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, March 2018 | | |
| ECDC Statement of Licensing Policy 2016 | | |