



LICENSING SUB COMMITTEE

**Diamonds and Strings
9 Market Street**

Tuesday, 3rd February, 2015

10.30 am

Town Hall, Watford

Please note the start time of this meeting

Publication date: 26 January 2015

CONTACT

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Jodie Kloss/Alan Garside in Democracy and Governance on 01923 278376 or by email to legalanddemocratic@watford.gov.uk .

Welcome to this meeting. We hope you find these notes useful.

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COMMITTEE MEMBERSHIP

Councillors I Brown, J Brown, J Connal, K Crout, G Derbyshire, K Hastrick, P Jeffree, H Lynch, M Mills, G Saffery, D Scudder, S Williams, M Hofman, A Khan and B Mauthoor

The Sub-Committee to comprise 3 members from those listed above.

AGENDA

PART A - OPEN TO THE PUBLIC

1. **COMMITTEE MEMBERSHIP/ ELECTION OF A CHAIR**
2. **DISCLOSURE OF INTERESTS (IF ANY)**
3. **APPLICATION FOR THE EXTENSION OF PERMITTED HOURS: DIAMONDS AND STRINGS, 9 MARKET STREET, WATFORD, WD18 0PA** (Pages 1 - 46)

Report of the Head of Community and Customer Services.

This report asks the Licensing Sub-Committee to consider an application for the extension of the permitted hours during which the above premises can offer licensable activities.

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PART A

Report to: Licensing Sub-Committee
Date of meeting: 3 February 2015
Report of: Head of Community and Customer Services
Title: Application for variation of a Premises Licence
Diamonds & Strings, 9 Market Street, Watford WD18 0PA
14/01703/LAPRE

1.0 SUMMARY

1.1 An application for a variation of a Premises Licence has been received from Punch Taverns Plc, the Premises Licence holders for Diamonds & Strings, 9 Market Street, Watford WD18 0PA.

The application seeks to extend the permitted hours during which the premises can offer licensable activities.

Two representations have been received from responsible authorities and which have not been withdrawn.

2.0 RECOMMENDATIONS

2.1 That the Licensing Sub-Committee determines whether to grant the application (amended as appropriate for the promotion of the licensing objectives) as set out in the report.

Contact Officer:

For further information on this report please contact: Austen Young Licensing Officer telephone 01923 278474: email: austen.young@watford.gov.uk

Report approved by: Alan Gough, Head of Community and Customer Services

3.0 APPLICATION

3.1 Type of authorisation applied for Variation of a Premises Licence

3.2 Description of premises

Diamonds & Strings is a premises which is situated within the Town Centre as defined by Policy LP3. The premises operate as a lap-dancing and strip club with a bar, and falls under the definition of a night-club under Policy LP2.

3.3 A map of the location of the premises is attached at appendix 1.

3.4 The licence plan showing the layout of the premises is attached at appendix 2.

3.5 Licensable activities

Licensable activity	Existing	Subject to Variation
Plays		
Films		
Indoor sports events		
Boxing or wrestling entertainment		
Live music	✓	✓
Recorded music	✓	✓
Performances of dance	✓	✓
Anything of a similar description to live or recorded music or dance		
Provision of late night refreshment	✓	✓
Sale by retail of alcohol for consumption on the premises	✓	✓
Sale by retail of alcohol for consumption off the premises	✓	✓

3.6 Licensable hours

The requested hours are detailed in the tables below. In summary the application is to:

- allow the provision of regulated entertainment from 0900 every day
- extend the hours for providing entertainment and late night refreshment until 0400 on Friday, Saturday, and any Bank Holiday Monday
- extend the hours for alcohol sales until 0330 on Friday, Saturday, and any Bank Holiday Monday
- extend the opening hours until 0400 on Friday, Saturday, and any Bank Holiday Monday

- reduce the hours for providing entertainment and late night refreshment to 0200 on Wednesday
- reduce the hours for the sale of alcohol to 0130 on Monday, Tuesday, and Wednesday
- reduce the opening hours to 0200 on Monday, Tuesday, and Wednesday
- make no changes to any permitted hours for Sunday

	Regulated Entertainment		Late Night Refreshment		Sale of Alcohol	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
Monday	10:00 – 02:00	09:00 – 02:00	23:00 – 02:00	23:00 – 02:00	10:00 – 02:00	10:00 – 01:30
Tuesday	10:00 – 02:00	09:00 – 02:00	23:00 – 02:00	23:00 – 02:00	10:00 – 02:00	10:00 – 01:30
Wednesday	10:00 – 03:00	09:00 – 02:00	23:00 – 03:00	23:00 – 02:00	10:00 – 02:30	10:00 – 01:30
Thursday	10:00 – 03:00	09:00 – 03:00	23:00 – 03:00	23:00 – 03:00	10:00 – 02:30	10:00 – 02:30
Friday	10:00 – 03:00	09:00 – 04:00	23:00 – 03:00	23:00 – 04:00	10:00 – 02:30	10:00 – 03:30
Saturday	10:00 – 03:00	09:00 – 04:00	23:00 – 03:00	23:00 – 04:00	10:00 – 02:30	10:00 – 03:30
Sunday	12:00 – 23:30	12:00 – 23:30	23:00 – 23:30	23:00 – 23:30	10:00 – 23:30	10:00 – 23:30
Bank Holiday Monday	Normal Monday hours	09:00 – 04:00	Normal Monday hours	23:00 – 04:00	Normal Monday hours	10:00 – 03:30

	Opening Hours	
	Existing	Proposed
Monday	10:00 – 02:30	09:00 – 02:00
Tuesday	10:00 – 02:30	09:00 – 02:00
Wednesday	10:00 – 03:00	09:00 – 02:00
Thursday	10:00 – 03:00	09:00 – 03:00
Friday	10:00 – 03:00	09:00 – 04:00
Saturday	10:00 – 03:00	09:00 – 04:00
Sunday	10:00 – Midnight	10:00 – 23:30
Bank Holiday Monday	Normal Monday hours	09:00 – 04:00

- 3.7 Officers can advise that the Sexual Entertainment Venue licence for this premises allows the premises to offer lap-dancing, pole-dancing, and other such adult entertainments on this premises during the following hours:

Monday	09:00 – 02:00
Tuesday	09:00 – 02:00
Wednesday	09:00 – 02:00
Thursday	09:00 – 03:00
Friday	09:00 – 04:00
Saturday	09:00 – 04:00
Sunday	Closed
Bank Holiday Monday	09:00 – 04:00

4.0 **BACKGROUND INFORMATION**

- 4.1 The following background information is known about these premises:

4.2 Designated premises supervisor

Mr Naresh Mal since 12 December 2014.

4.3 Current licences held

The current licence is 12/01673/LAPRMV and was granted on 10 December 2012 following the grant of a minor variation. Prior to this, the premises has been licensed under the Licensing Act 2003 since November 2005 when the Act came into force, and was licensed prior to November 2005 under the Licensing Act 1964.

The premises also benefits from a Sexual Entertainment Venue licence, reference 14/00994/SEX. This licence, which is required to be renewed annually, has been in effect since 14 August 2014 and will expire on 14 August 2015 unless renewed.

4.4 Closing date for representations

6 January 2015

4.5 Public notice published in newspaper

12 December 2014

4.6 Visits and Enforcement action

Members may be aware that the premises has been investigated in the past by the Police and the licensing authority for potential breaches of conditions of both the Premises Licence and Sexual Entertainment Venue licence. Due to concerns raised by the Police, an application to renew the Sexual Entertainment Venue licence in 2013 was refused.

However, after satisfying the licensing authority and the Police that none of the management team who were in control of the premises during this time were involved with the premises any more, and with the acceptance of

additional conditions, the Sexual Entertainment Venue licence was allowed on appeal on 30 June 2014 and also subsequently transferred to the current operators. For the avoidance of doubt, the premises licence holder, Punch Taverns plc, is the landlord and leases the premises to the holder of the Sexual Entertainment Venue licence, Admiral Bars (Watford) Ltd.

There have been no recorded issues with the venue since June 2014 under the current management team.

5.0 **PROMOTION OF LICENSING OBJECTIVES.**

5.1 The application form indicates that the applicant does not feel there is a need to take any additional steps in order to promote the licensing objectives apart from those conditions which are already in force on the licence.

The existing licence and conditions which apply to this premises are attached at appendix 3.

6.0 **RESPONSIBLE AUTHORITIES**

6.1 Police

The Police have submitted representations on the grounds of the prevention of crime and disorder, public safety, and the prevention of public nuisance. These representations are attached at appendix 4.

6.2 Licensing Authority

The licensing authority, in their role as a responsible authority, have submitted representations on the grounds of the prevention of crime and disorder and the prevention of public nuisance. These representations are attached at appendix 5.

6.3 Fire and Rescue Service

No representations

6.4 Environmental Health

No representations

6.5 Planning

No representations

6.6 Trading Standards

No representations

6.7 Child Protection

No representations

7.0 **INTERESTED PARTIES**

7.1 No representations have been received from any interested parties.

8.0 POLICY CONSIDERATIONS

8.1 The following provisions of the Licensing Act 2003 apply to this application:

- Sections 34 and 35 (Application to vary premises licence):
Section 34 details the process which the applicant must have followed for the application to be considered valid. Section 35 describes the process by which an application for a premises licence is determined, including where relevant representations have been made as in this case.
- The Licensing Act 2003 (Hearings) Regulations 2005 (as amended)
These regulations detail how hearings should be conducted to determine applications submitted under the Licensing Act.

8.2 Statutory guidance

The following provisions of the Secretary of State's guidance (October 2014) apply to this application:

- Paragraphs 8.33 – 8.41:
These paragraphs explain how steps should be taken to promote the licensing objectives. It is for the Sub-Committee to decide in light of this guidance whether the measures offered by the applicant are appropriate to promote the licensing objectives. It is equally important to use the same measure when looking at any steps requested by a party making representations against an application.
- Paragraph 9.12:
This paragraph explains how the licensing authority should accept all reasonable and proportionate representations made by the Police unless the authority has evidence that to do so would not promote the licensing objectives. However, it is still the responsibility of the Police to ensure that their representations can withstand scrutiny.
- Paragraphs 9.30 – 9.40:
These paragraphs explain that hearings should be focussed on the steps considered appropriate to the promotion of the licensing objectives, as well as how appropriate weight must be attributed to the steps to promote the licensing objectives, the representations presented by all parties, the statutory guidance and the licensing authority's statement of licensing policy.
- Paragraphs 9.41 – 9.43
These paragraphs explain that when determining applications, the authority's determination should be evidence-based, as well as how to assess if a step is 'appropriate' for the promotion of the licensing objectives.
- Chapter 10:
This chapter looks at best practice in relation to conditions that may be attached to a premises licence should it be believed that such

conditions are appropriate to promote the licensing objectives. Any additional conditions requested by any party should be considered with reference to this chapter.

8.3 Statement of licensing policy

The following paragraphs of the licensing authority's statement of licensing policy apply to this application:

- Policy LP1 – Premises Definitions
Under this policy, the premises are best defined as a night-club.
- Policy LP2 – Location and Operation of Premises
This policy sets out the approach to licensing premises when relevant representations are received, notwithstanding that each application is considered on its own merits. This premises is situated within the Town Centre (as defined in Policy LP3) and as such this policy states that night-clubs (including lap-dancing clubs) 'will generally be allowed licensable activities to 1am only and until 10:30pm on Sunday (other than for special occasions)'

This policy also states that 'where alcohol is sold for consumption on the premises, our policy will be to generally grant an additional 60 minutes between the end of any sales of alcohol and the closing time of the premises (which we refer to as the "terminal hour")'.

- Policy LP3 – Creating a Family Friendly Town Centre
This is a special policy which applies to this part of the town centre, which is intended to be strictly applied.

Paragraph 1 of LP3 states that 'when we have received relevant representations about an application for a pub, night-club or bar (as defined in policy LP1) in this part of the Town Centre, our starting point will be to refuse the application'.

Paragraph 3 of LP3 states that 'where exceptions can be shown and relevant representations have been received, variations to extend alcohol-led premises will not generally be allowed until the premises have been operating for at least 12 months without having an adverse impact on the licensing objectives'.

Paragraph 4 of LP3 states that 'where relevant representations have been received, we will consider granting applications which limit the hours of operation to those set out in policy LP2 unless exceptions to LP3 can be shown'.

Paragraph 5 of LP3 states that 'where relevant representations have been received and exceptions can be shown for applications for public houses and night-clubs, we will consider whether to require waiter/table service for alcohol sales between 9pm and the final time for the sale of alcohol'.

Paragraph 6 of LP3 states that 'where relevant representations have been received against the sale of alcohol after 10 pm and exceptions can be shown, we will consider whether premises shall be required to demonstrate they have an effective dispersal management plan in place; to install a closed-circuit television system that meets the reasonable requirements of Hertfordshire Constabulary; installing an electronic identification entry system; and to have use of a Pubwatch radio.

Exceptions to LP3

1. Exceptions will not be made on the grounds that:

- (1) the building design is of a high standard; we would expect that all applicants will want to ensure the highest design standards possible;
- (2) that the applicant is of good character. It is a legal requirement that premises selling alcohol must be under the management of a designated premises supervisor, who must themselves hold a personal licence to sell alcohol;
- (3) the premises are small. Even small premises can contribute to crime, disorder and nuisance.

2. We will consider whether to grant an application, even when relevant representations have been received, if:

- (1) the application contributes to the family-friendly development of the town centre; or
- (2) to effect a real reduction in capacity of alcohol sales; or
- (3) to replace a vertical drinking establishment with seated consumption and waiter service.

3. In any case where an applicant wishes an exception to be considered, the responsibility is with them to show why it should be considered and not on the Sub-Committee to show why an exception should not be made.

- Policy LP6 – Prevention of Crime and Disorder
Under this policy the Sub-Committee will consider any necessary measures to deal with the potential for crime and disorder where relevant representations have been received.
- Policy LP7 – Public Safety
Under this policy the Sub-Committee will consider any appropriate measures to deal with the issue of public safety where relevant representations have been received.
- Policy LP8 – Prevention of Public Nuisance
Under this policy the Sub-Committee will consider any appropriate measures to deal with the potential for public nuisance and/or anti-

social behaviour where relevant representations have been received.

- Policy LP11 – Representations About Applications
This policy recommends the type of information that should be included in a representation. It also explains how representations will be dealt with.

8.4 The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

8.5 The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.

9.0 **RELEVANT TRADE OR OTHER GUIDANCE**

9.1 None

10.0 **CONDITIONS**

10.1 Members will be aware that an operating schedule forms part of the licensing process. This document outlines what activities are proposed, the opening hours, how the activities will be managed particularly in respect of the licensing objectives. The most critical part of the operating schedule is the steps taken by the applicant to promote the four licensing objectives. Applicants are always recommended to take careful consideration as to what is entered in this section as whatever is proposed will be translated as conditions on the licence. Applicants should give consideration to the local area and reflect this in their application. They should demonstrate an awareness of the local community, local crime and disorder issues, and environment.

10.2 The applicant has not listed any additional steps in their operating schedule, and instead states that their existing operating schedule and conditions shall remain unchanged. The conditions which currently apply to this premises are contained within the current licence which is attached as appendix 3.

10.3 Conditions proposed by the responsible authorities
No additional conditions have been proposed by the responsible authorities.

10.4 Pool of Model Conditions
The licensing authority also has its own pool of model conditions that may help mitigate the concerns raised in the representations.

10.5 Officers do not feel, however, that there are any appropriate conditions to be taken from the pool of model conditions to address the concerns raised in the representations.

10.6 This does not restrict the Sub-Committee's power to attach conditions from the pool (amended or otherwise) if they consider that they are appropriate, proportionate, justifiable and within the applicant's power to comply with.

11.0 OFFICERS' OBSERVATIONS

11.1 As stated above, Policy LP3 is intended to be applied strictly. Representations have been received about an application to extend the hours for the sale of alcohol and provision of other licensable activities within a late night venue, identified under our policy as a night-club, and so the Sub-Committee's starting point ought to be to consider refusing the application.

11.2 Policy LP3 also states that where relevant representations have been received, the Sub-Committee may consider granting the application but with limits placed on the hours of operation in line with Policy LP2, unless the applicant can show they should be considered an exception.

11.3 These premises already benefit from permitted hours which are in excess of the hours listed in Policy LP2. These hours pre-date the current licensing policy, as detailed in paragraph 4.3 above.

11.4 To demonstrate whether applicants are an exception, policy LP3 sets out three tests:

- (1) the application contributes to the family-friendly development of the town centre; or
- (2) to effect a real reduction in capacity of alcohol sales; or
- (3) to replace a vertical drinking establishment with seated consumption and waiter service.

11.5 There is little evidence to suggest that this application satisfies these tests. Officers are aware that, in addition to the extended hours on Friday, Saturday and Bank Holiday Mondays, this variation does request a small reduction in hours for the sale of alcohol on Mondays, Tuesdays and Wednesdays. There is also a proposed reduction in hours on Wednesdays for the provision of regulated entertainment and late night refreshment. Members may account for this reduction as satisfying a reduction in the capacity of alcohol sales to qualify as an exception to the policy. Under policy LP3, in any case where the applicant wishes an exception to be considered, the responsibility lies with them to show why it should be considered, and not with the Sub-Committee. Therefore, it is the applicant who must satisfy Members if this reduction in capacity is a "real" reduction, as opposed to an illusory one.

11.6 The Sub-Committee have a duty to "have regard" to the licensing policy but are not bound by it. However, should Members wish to depart from the policy then detailed reasons for this must be given as part of any decision.

11.7 The applicant's agent has communicated that the intention of this application is to bring the permitted hours of the Premises Licence more in line with the permitted hours of the Sexual Entertainment Venue licence. Members are

reminded that each application is to be considered on its own individual merits, and the existence of another licence or authorisation does not automatically imply that both authorisations should be granted to the same hours.

- 11.8 Officers arranged a meeting between the representatives of the premises, the Police, and the licensing authority to discuss this application. The licensing authority normally offers this option to parties where representations are received to see if matters can be agreed without the need of a formal hearing. This meeting was held on Friday 16 January. Although there was a discussion around the application, unfortunately nothing was agreed at this meeting and so the representations were not withdrawn.
- 11.9 As detailed in paragraph 11.5, this application does request a slight reduction in hours on certain days. There are no representations to this aspect of the variation, and therefore Members are advised to grant the reduction in hours as requested.
- 11.10 Officers are also aware that the application asks to bring forward the hour when the premises can start providing regulated entertainment on every day. Again, there are no representations to this aspect of the variation, and therefore Members are advised to grant this morning extension as requested.
- 11.11 The officers' observations and the comments regarding the representations are in no way meant to bind Members. They are for guidance only and Members may attach whatever weight they see fit.
- 11.12 In determining this application, the Sub-Committee must have regard to the representations and take such steps as it considers appropriate for the promotion of licensing objectives. The steps are:
- (a) grant the application in full.
 - (b) modify the conditions of the licence volunteered by the applicant in the operating schedule, by altering or omitting or adding them.
 - (c) reject the whole or part of the application.

Appendices

Appendix 1 – map of the premises' location

Appendix 2 – plan of the premises

Appendix 3 – existing licence (reference 12/01673/LAPRMV)

Appendix 4 – representations from the Police

Appendix 5 – representations from the licensing authority

Appendix 6 – draft licence (reference 14/01703/LAPRE)

Background Papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

Licensing Act 2003

Amended guidance issued under section 182 of the Licensing Act 2003
(Home Office October 2014)

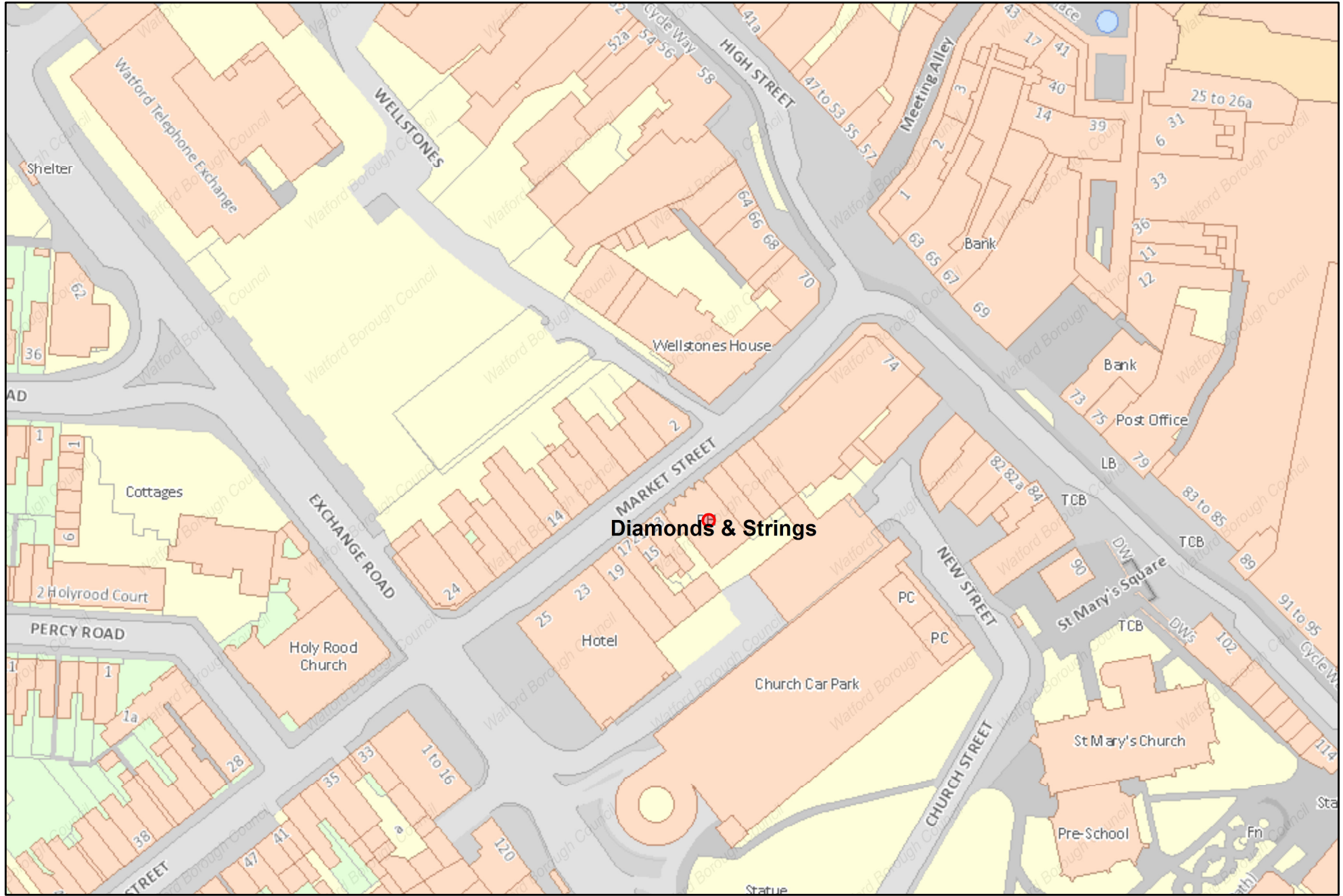
Licensing Act (Hearings) Regulations 2005

Watford Borough Council Licensing Policy (November 2013)

Watford Borough Council Pool of Model Conditions (March 2013)

File Reference

Diamonds & Strings

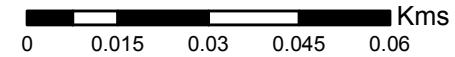


Diamonds & Strings



Appendix 1

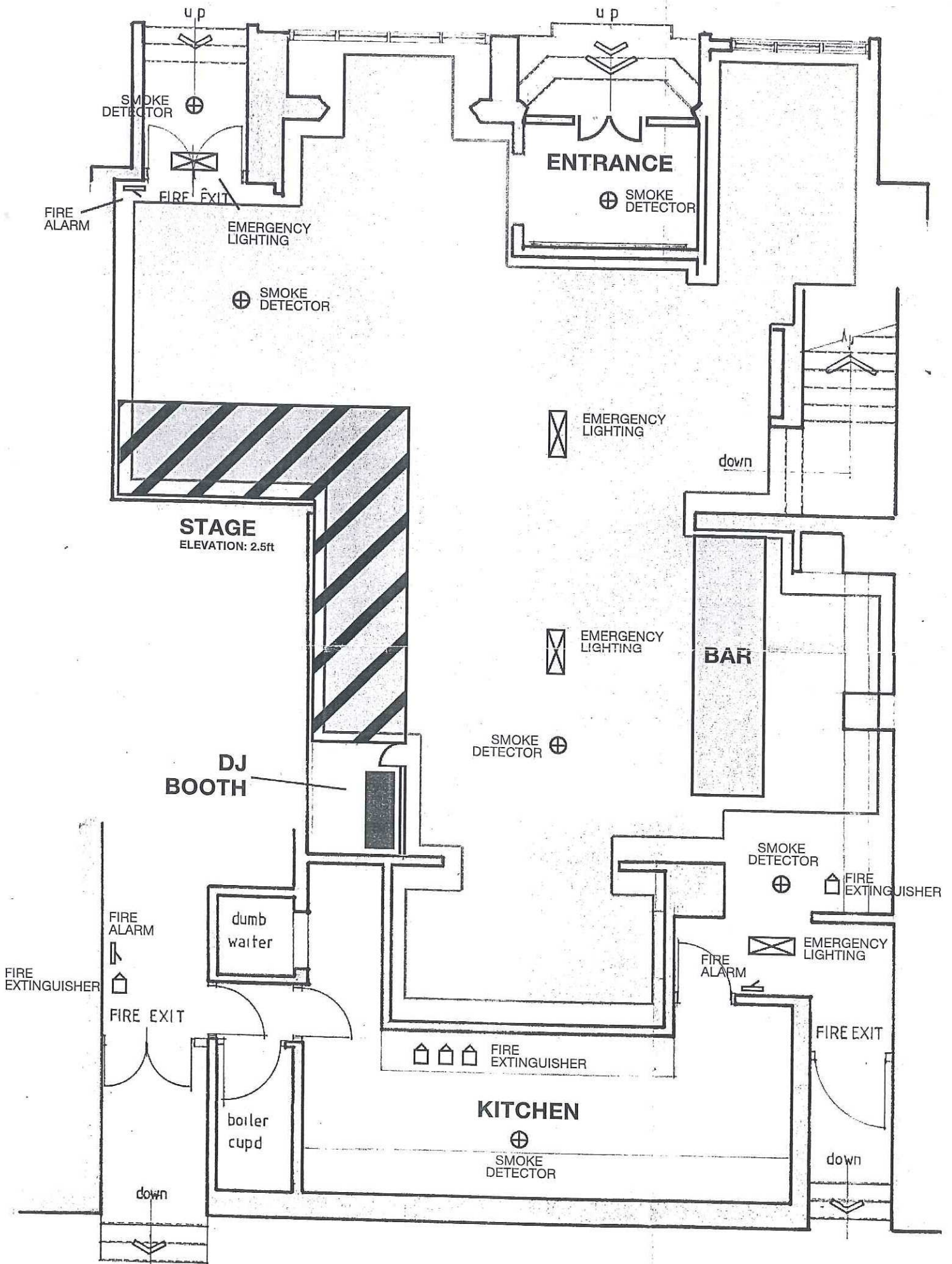
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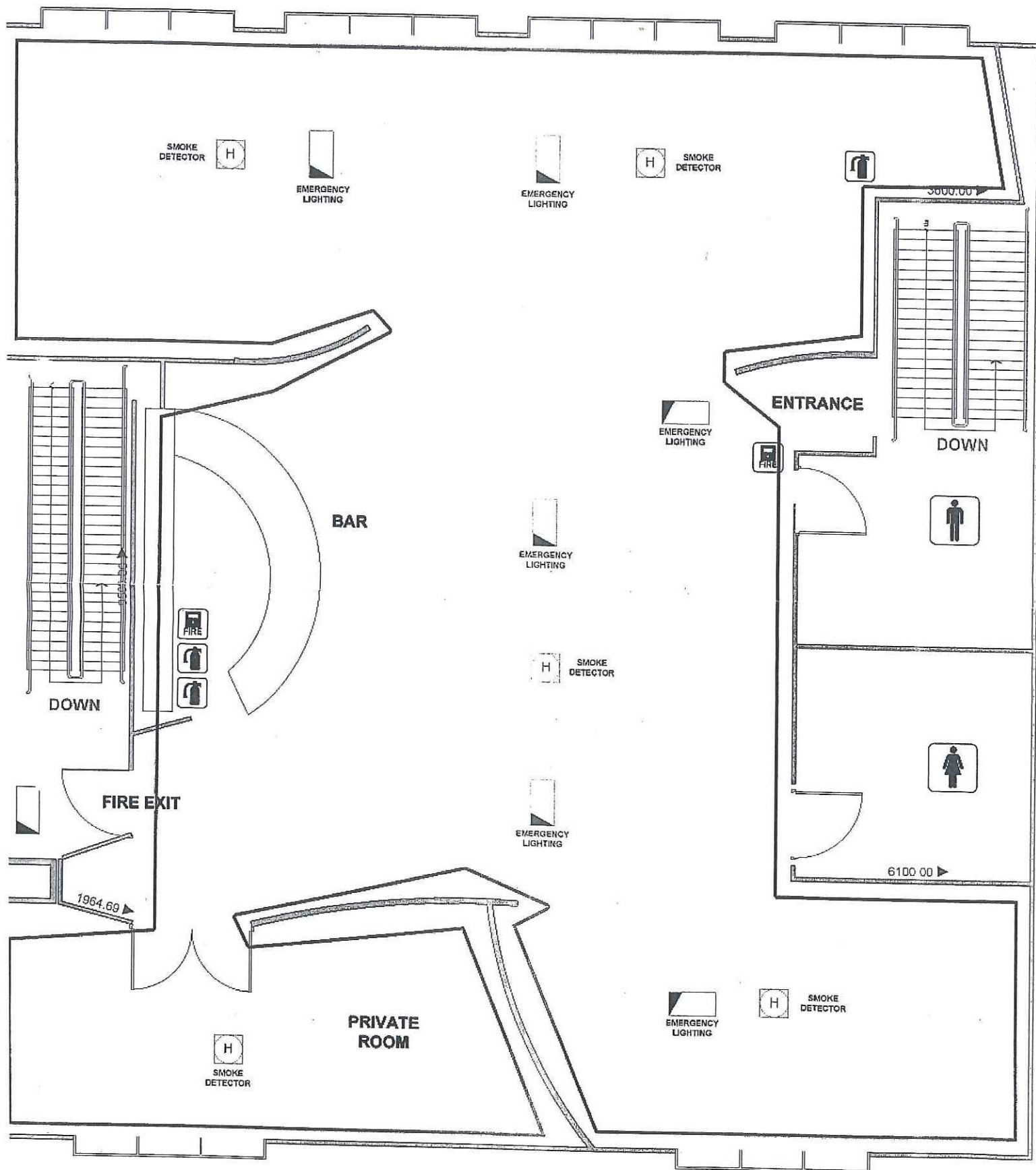
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**Licensing Act 2003
Schedule 12
Part A**

Regulation 33,34

Premises Licence

Premises Licence Number

12/01673/LAPRMV

Part 1 – Premises Details

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

Beavers
9 Market Street
Watford
WD18 0PA

Telephone number 01923 256601

Where the licence is time limited the dates

From 12 December 2014

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Performance of Live Music	Monday and Tuesday	10:00 – 02:00 next day
	Wednesday to Saturday	10:00 – 03:00 next day
	Sunday	12:00 – 23:30
Recorded Music	Monday and Tuesday	10:00 – 02:00 next day
	Wednesday to Saturday	10:00 – 03:00 next day
	Sunday	12:00 – 23:30
Performance of Dance	Monday and Tuesday	10:00 – 02:00 next day
	Wednesday to Saturday	10:00 – 03:00 next day
	Sunday	12:00 – 23:30
Late night refreshment	Monday and Tuesday	23:00 – 02:00 next day
	Wednesday to Saturday	23:00 – 03:00 next day
	Sunday	23:00 – 23:30
Sale of alcohol	Monday and Tuesday	10:00 – 02:00 next day
	Wednesday to Saturday	10:00 – 02:30 next day

Premises Licence page 1

P:\Procedures\Licensing\Licensing Act 2003\Licensing Applications\Premises Licence Applications\Diamonds and Strings (ex-Beavers)\Part A - Change of DPS 12.12.14.doc

Sunday	10:00 – 23:30
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The opening hours of the premises	
Monday and Tuesday	10:00 – 02:30 next day
Wednesday to Saturday	10:00 – 03:00 next day
Sunday	10:00 – Midnight

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

Punch Taverns plc
Jubilee House
Second Avenue
Burton Upon Trent
Staffordshire
DE14 2WF

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

Registered Business Number 03752645

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

Mr Naresh Mal
[Address redacted for this report]

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: HARLOW/PERS/0230
Licensing Authority: Harlow Council

Annex 1 – Mandatory conditions

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 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.
3. Any individual employed on the premises to conduct a security activity (within the meaning of section paragraph 2(1)(a) of schedule 2 to the Private Security Industry Act 2001) must be licensed by the Security Industry Authority.
4. (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).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (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.

7. 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.

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

For the purposes of this condition -

(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.

9. Where the permitted price 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.

Premises Licence page 5

P:\Procedures\Licensing\Licensing Act 2003\Licensing Applications\Premises Licence Applications\Diamonds and Strings (ex-Beavers)\Part A - Change of DPS 12.12.14.doc

10. (1) Sub-paragraph (2) applies where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(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.

Annex 2 – Conditions consistent with the Operating Schedule

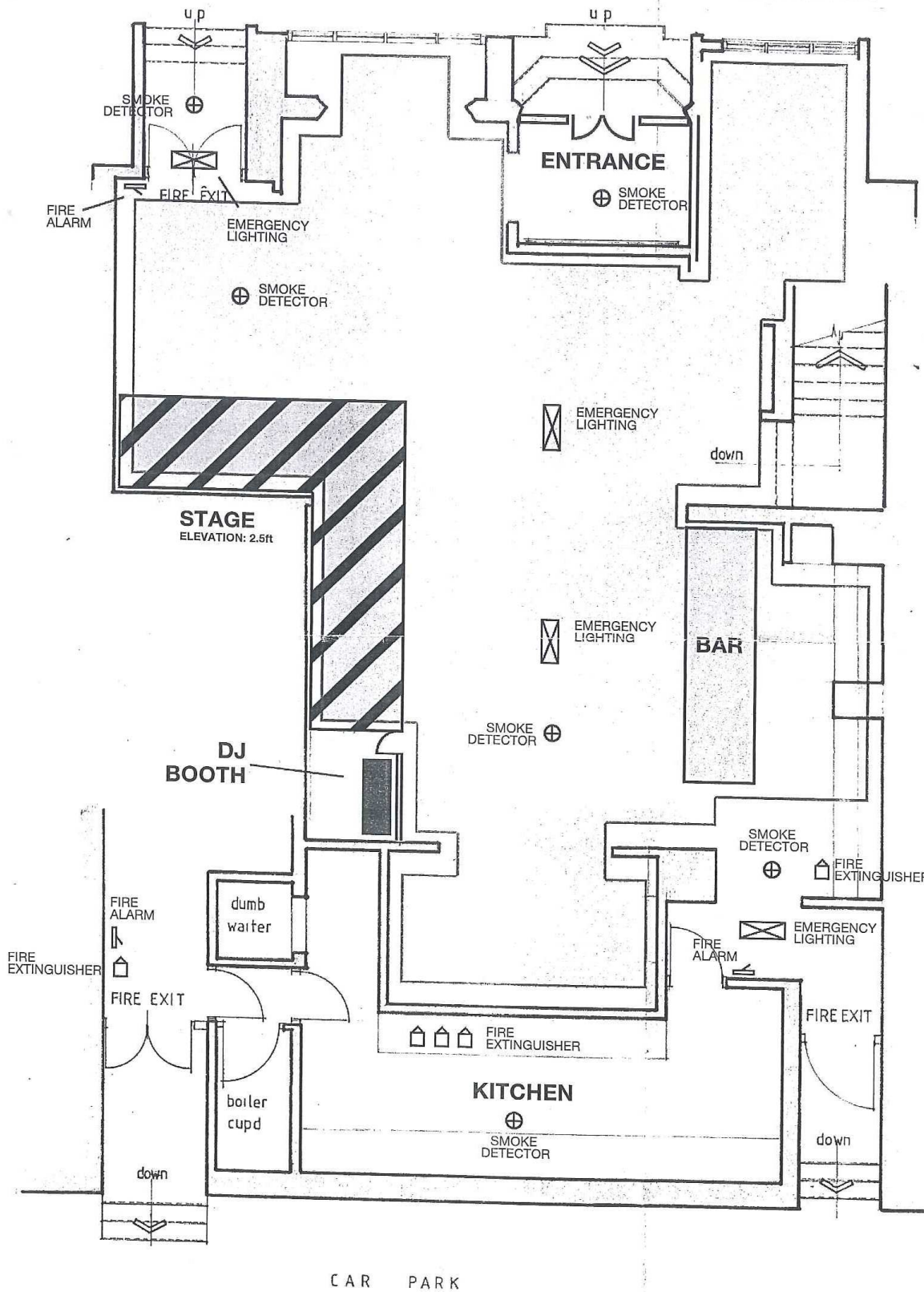
1. All drinks promotions will be subject to consultation with the Police and the Licensing Authority for suitability prior to promotion.
2. There will be no entry to the premises one and a half hours prior to the close of the premises.
3. There will be no events solely for people under 18 years of age on the premises.
4. All staff will be trained regularly in relevant material to ensure no offences are committed. All training records will be maintained and kept up-to-date.
5. The premises supervisor will actively participate in and support the local Pubwatch scheme (where one is in existence).
6. There will be close liaison with the police on football related matters.
7. The company should embrace the 'Challenge 21' policy that everyone looking under 21 will be asked for photographic identification.
8. Where the licensable activities are allowed to be conducted later than 1 am on the morning that British Summer Time begins, such activities may be provided for an additional one hour.
9. The maximum number of persons (excluding staff and attendants) to be allowed any one time in the premises shall not exceed 165 people (65 on the first floor and 100 on the ground floor).
10. The following shall apply when pole-dancing or similar entertainment is being provided:
 - a) All front facing windows will be rendered to ensure that they cannot be seen through from the outside (merely having curtains or blinds will not suffice).
 - b) At least two door supervisors be on duty throughout performances;
 - c) Furniture in the licensed area to be arranged to ensure a comfortable area for performing is provided for the performers;
 - d) No customers to be permitted to move the furniture other than in a modest way commensurate with normal use (that is to say, furniture may not be moved from one side of the room to the other just in order to watch a particular part of the performance);
 - e) The performers shall be supplied with secure and adequate washing and changing facilities;
11. The premises has strict door control maintained, with a minimum of 2 door supervisors when entertainment is in place (with a 3rd available when required).
12. The door supervisors remain on duty until the last customer vacates the premises.
13. The premises shall install and maintain a comprehensive CCTV system to the satisfaction of Hertfordshire Constabulary. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made immediately available upon the request of Police or authorised officer throughout the preceding 31 day period.

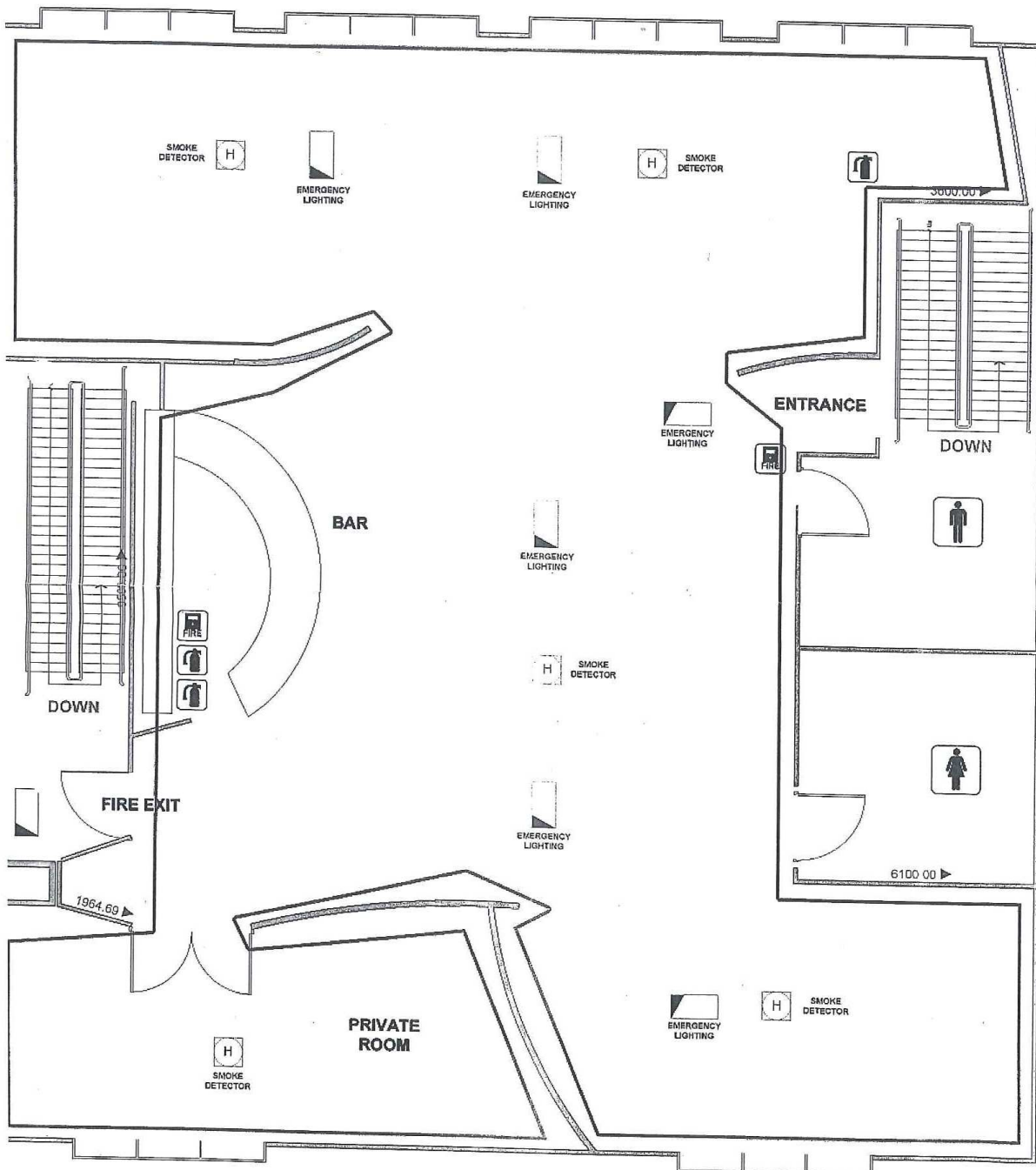
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
15. A high degree of vigilance is given to the prevention of drugs on the premises and there are clear warning signs displayed and the toilets are checked by management and staff on a regular basis.
16. The premises are to be protected by a burglar alarm.
17. An accident/incident book is on site for staff and public. At all times when the venue is open to the public, there shall be on duty at the premises a member of staff who holds a current First Aid certificate.
18. Staff are trained in disability policy and assistance is always available to any disabled person.
19. If required staff will organise taxi's to transport customers home and customers are seen off the premises and encouraged to disperse quietly by the door supervisors.
20. The premises is to have no offensive external advertising.
21. The licensee shall not allow the distribution of flyers containing photos or images which show full or semi nakedness.
22. Persons over 18 but under 21 will only be permitted when accompanied by an adult over the age of 25.
23. During pole-dancing or similar entertainment entry is controlled by the registered door supervisors.
24. No glass drinking vessels or containers (including bottles) of any sort may be provided to, or used, by customers on the premises other than champagne bottles which must be dispensed to customers by waiter/waitress service and the bottles returned to the server areas once they are empty. No bottles are to be left with a customer at any time.
25. Polycarbonate glasses must be used throughout the venue. No drinks of any kind may be dispensed in a glass bottle or container other than that shown in condition 24 above.

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

This licence was not subject to a hearing

Annex 4 – Plans





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WATFORD LICENSING AUTHORITY
Licensing Act 2003.

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable):

Police - On behalf of The Chief Constable

Your Name	Simon Mason
Job Title	Police Sergeant 1952
Postal and email address	Community Safety Unit, Watford Police Station, Watford, Herts WD17 1DD
Contact telephone number	01923 472938

Name of the premises you are making a representation about	Diamonds & Strings (formerly Beavers)
Address of the premises you are making a representation about	9 Market Street, Watford, WD18 0PA

<i>Which of the four licensing Objectives does your representation relate to?</i>	<i>Yes Or No</i>	<i>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder	Yes	<p>An application to vary a premises licence has been made for Diamonds & Strings (formerly Beavers), 9 Market Street, Watford to extend their closing times on Fridays, Saturdays and Bank Holiday Mondays for the Performance of Live Music, Recorded Music, Late Night Refreshment (and open an hour earlier as well for these performances) requesting closing time until 04:00hrs, and alcohol sales until 03:30hrs on those days.</p> <p>The current Premises Licence states their closing times are 03:00 except for Mondays and Tuesdays which is 02:30hrs.</p> <p>Our concerns relate to the extension of the existing operating hours and the problems this would undoubtedly generate increasing crime and disorder. Members of the public leaving other night time economy venues will potentially wish to extend their evening by entering Diamonds & Strings to continue drinking alcohol.</p> <p>An increase in customers due to the potential of late night drinking will create issues at 04:00hrs. Police officers will then have two venues at conflicting ends of the town centre closing at this time. This will seriously influence the ability of the police to ensure the safe dispersal of the public away from the town centre.</p> <p>Extended alcohol sales until 03:30hrs would turn Diamonds and Strings into the latest alcohol sales venue in the town centre. We see elongating the evening in this manner with the premises being away from our cluster of NTE venues as nothing other than an unrequired strain and police resources.</p> <p>If the requested extensions were to be agreed, members of the public would begin to see Diamonds and Strings as a late night</p>
Public Nuisance	Yes	
Public Safety	Yes	

	<p>drinking establishment instead of a SEV. This premises SEV ethos would be weakened by the public's perception and effectively become another late night bar. An overall increase in the lateness of our NTE and setting later night closing precedence's would increase ASB and criminality and begin to deviate from the Police and local authorities priorities.</p> <p>This application also falls outside of the Licensing Objectives for the Council.</p> <p>Hertfordshire Constabulary currently provide considerable police resources to preventing crime and disorder in the town centre on Friday and Saturday evenings as well as specific events and some Mondays and an extension would mean we have to provide additional resources to manage those in the town and this would affect our ability to effectively tackle crime and disorder.</p> <p>We also have to consider services which support the Night Time Economy (NTE). Good dispersal from an NTE is vital to prevent disorder.</p> <p>In summary we feel if this were to be granted it would be detrimental to policing in Watford and the community in its entirety.</p> <p>This therefore raises strong concerns of how this would impact the wider community in terms of increased Anti-Social Behaviour, Crime and Disorder.</p> <p>The Constabulary have concerns regarding this application and accordingly on behalf of the Chief Constable I represent against it.</p>
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<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	
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Signed: PS 1952 Mason

Date: 29th Dec 2014

Please return this form along with any additional sheets to: Watford Licensing Authority, Town Hall, Watford, Herts WD17 3EX, or email to envhealth@watford.gov.uk
This form must be returned within the Statutory Period. For more details please check with the Licensing Unit on 01923 278503 .

Austen Young

From: Jamie Mackenzie
Sent: 18 December 2014 09:27
To: Austen Young
Subject: Application for extended hours, Diamonds and String, 9 Market Street

I am writing to formally object to the application for an extension of licensable hours by the above named premises.

I am registering this objection on the grounds that such an extension would undermine the following licensing objectives:

Crime and Disorder
Public Nuisance

The premises are located on a busy thoroughfare used as a point of exit for those leaving the town centre. Current licensing hours and conditions restrict last entry to 02:00. Even should this last entry be continued, there is the possibility of disorder and public nuisance caused by people attempting to enter knowing that the venue is open for the sale of alcohol until 03:30. Although the premises is currently open until 04:00 for sexual entertainment purposes, it is my belief that customers are discouraged from attempting entry after 02:00 in the knowledge that there is no sale of alcohol past 02:30.

The current town centre policy for licensing is clear that premises of the nature of a bar would not normally be granted a licence for the sale of alcohol beyond 00:00 and of a club 01:00. Diamonds and String are already licensed for the sale of alcohol until 02:30 and are therefore already beyond the accepted policy for the town centre. Any increase would undermine the policy and the reasons for the introduction of the policy. The policy has been effective this far in helping to reduce anti social behaviour and crime in the town centre and should be adhered to.

Regards

Jamie Mackenzie

Licensing Enforcement Officer
Community and Customer Services
Watford Borough Council
Town Hall, Watford, Hertfordshire WD17 3EX
Phone:(01923)278476 Fax:(01923) 230765
Email:jamie.mackenzie@watford.gov.uk or licensing@watford.gov.uk
Visit the Watford Borough Council website on www.watford.gov.uk

You can now apply from our website for most licences online (apart from hackney carriage/private hire, gambling and personal alcohol licences).

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**Licensing Act 2003
Schedule 12
Part A**

Regulation 33,34

Premises Licence

Premises Licence Number

14/01703/LAPRE

Part 1 – Premises Details

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

Diamonds & Strings
9 Market Street
Watford
WD18 0PA

Telephone number 01923 256601

Where the licence is time limited the dates

From 2 February 2015

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Performance of Live Music	Monday, Tuesday & Wednesday	09:00 – 02:00 next day
	Thursday	09:00 – 03:00 next day
	Friday & Saturday	09:00 – 04:00 next day
	Sunday	12:00 – 23:30
	Bank Holiday Monday	09:00 – 04:00 next day
Recorded Music	Monday, Tuesday & Wednesday	09:00 – 02:00 next day
	Thursday	09:00 – 03:00 next day
	Friday & Saturday	09:00 – 04:00 next day
	Sunday	12:00 – 23:30
	Bank Holiday Monday	09:00 – 04:00 next day
Performance of Dance	Monday, Tuesday & Wednesday	09:00 – 02:00 next day
	Thursday	09:00 – 03:00 next day
	Friday & Saturday	09:00 – 04:00 next day
	Sunday	12:00 – 23:30
	Bank Holiday Monday	09:00 – 04:00 next day
Late Night Refreshment	Monday, Tuesday & Wednesday	23:00 – 02:00 next day

	Thursday	23:00 – 03:00 next day
	Friday & Saturday	23:00 – 04:00 next day
	Sunday	23:00 – 23:30
	Bank Holiday Monday	23:00 – 04:00 next day
Sale of Alcohol	Monday, Tuesday & Wednesday	10:00 – 01:30 next day
	Thursday	10:00 – 02:30 next day
	Friday & Saturday	10:00 – 03:30 next day
	Sunday	10:00 – 23:30
	Bank Holiday Monday	10:00 – 03:30 next day

The opening hours of the premises		
Monday, Tuesday & Wednesday		09:00 – 02:00 next day
Thursday		09:00 – 03:00 next day
Friday & Saturday		09:00 – 04:00 next day
Sunday		12:00 – 23:30
Bank Holiday Monday		09:00 – 04:00 next day

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		

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Part 2

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

Punch Taverns plc
Jubilee House
Second Avenue
Burton Upon Trent
Staffordshire
DE14 2WF

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

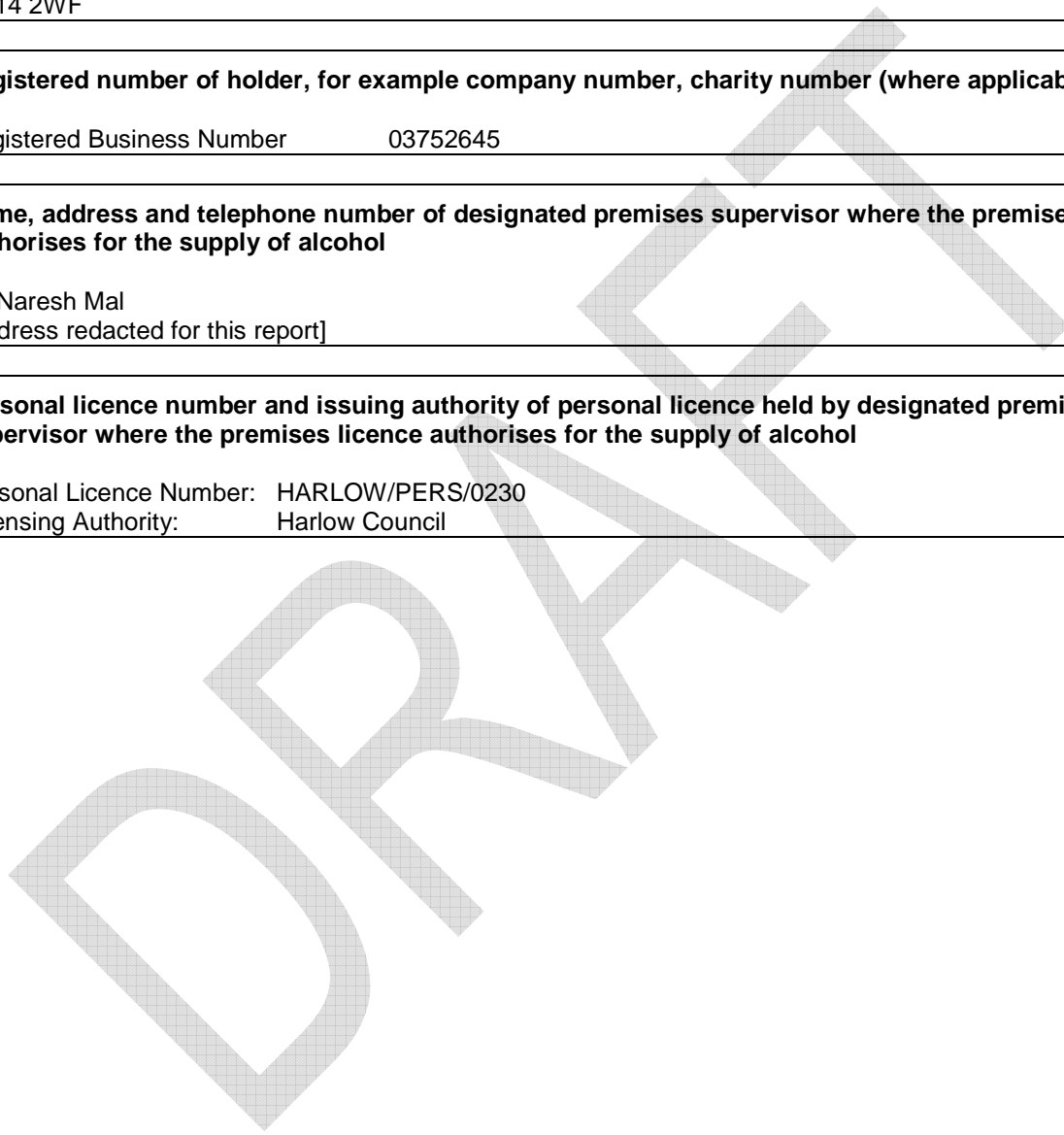
Registered Business Number 03752645

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

Mr Naresh Mal
[Address redacted for this report]

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: HARLOW/PERS/0230
Licensing Authority: Harlow Council



Annex 1 – Mandatory conditions

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 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.
3. Any individual employed on the premises to conduct a security activity (within the meaning of section paragraph 2(1)(a) of schedule 2 to the Private Security Industry Act 2001) must be licensed by the Security Industry Authority.
4. (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).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (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.

7. 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.

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

For the purposes of this condition -

(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.

9. Where the permitted price 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.

10. (1) Sub-paragraph (2) applies where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(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.

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Annex 2 – Conditions consistent with the Operating Schedule

1. All drinks promotions will be subject to consultation with the Police and the Licensing Authority for suitability prior to promotion.
2. There will be no entry to the premises one and a half hours prior to the close of the premises.
3. There will be no events solely for people under 18 years of age on the premises.
4. All staff will be trained regularly in relevant material to ensure no offences are committed. All training records will be maintained and kept up-to-date.
5. The premises supervisor will actively participate in and support the local Pubwatch scheme (where one is in existence).
6. There will be close liaison with the police on football related matters.
7. The company should embrace the 'Challenge 21' policy that everyone looking under 21 will be asked for photographic identification.
8. Where the licensable activities are allowed to be conducted later than 1 am on the morning that British Summer Time begins, such activities may be provided for an additional one hour.
9. The maximum number of persons (excluding staff and attendants) to be allowed any one time in the premises shall not exceed 165 people (65 on the first floor and 100 on the ground floor).
10. The following shall apply when pole-dancing or similar entertainment is being provided:
 - a) All front facing windows will be rendered to ensure that they cannot be seen through from the outside (merely having curtains or blinds will not suffice).
 - b) At least two door supervisors be on duty throughout performances;
 - c) Furniture in the licensed area to be arranged to ensure a comfortable area for performing is provided for the performers;
 - d) No customers to be permitted to move the furniture other than in a modest way commensurate with normal use (that is to say, furniture may not be moved from one side of the room to the other just in order to watch a particular part of the performance);
 - e) The performers shall be supplied with secure and adequate washing and changing facilities;
11. The premises has strict door control maintained, with a minimum of 2 door supervisors when entertainment is in place (with a 3rd available when required).
12. The door supervisors remain on duty until the last customer vacates the premises.
13. The premises shall install and maintain a comprehensive CCTV system to the satisfaction of Hertfordshire Constabulary. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made immediately available upon the request of Police or authorised officer throughout the preceding 31 day period.

14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
15. A high degree of vigilance is given to the prevention of drugs on the premises and there are clear warning signs displayed and the toilets are checked by management and staff on a regular basis.
16. The premises are to be protected by a burglar alarm.
17. An accident/incident book is on site for staff and public. At all times when the venue is open to the public, there shall be on duty at the premises a member of staff who holds a current First Aid certificate.
18. Staff are trained in disability policy and assistance is always available to any disabled person.
19. If required staff will organise taxi's to transport customers home and customers are seen off the premises and encouraged to disperse quietly by the door supervisors.
20. The premises is to have no offensive external advertising.
21. The licensee shall not allow the distribution of flyers containing photos or images which show full or semi nakedness.
22. Persons over 18 but under 21 will only be permitted when accompanied by an adult over the age of 25.
23. During pole-dancing or similar entertainment entry is controlled by the registered door supervisors.
24. No glass drinking vessels or containers (including bottles) of any sort may be provided to, or used, by customers on the premises other than champagne bottles which must be dispensed to customers by waiter/waitress service and the bottles returned to the server areas once they are empty. No bottles are to be left with a customer at any time.
25. Polycarbonate glasses must be used throughout the venue. No drinks of any kind may be dispensed in a glass bottle or container other than that shown in condition 24 above.

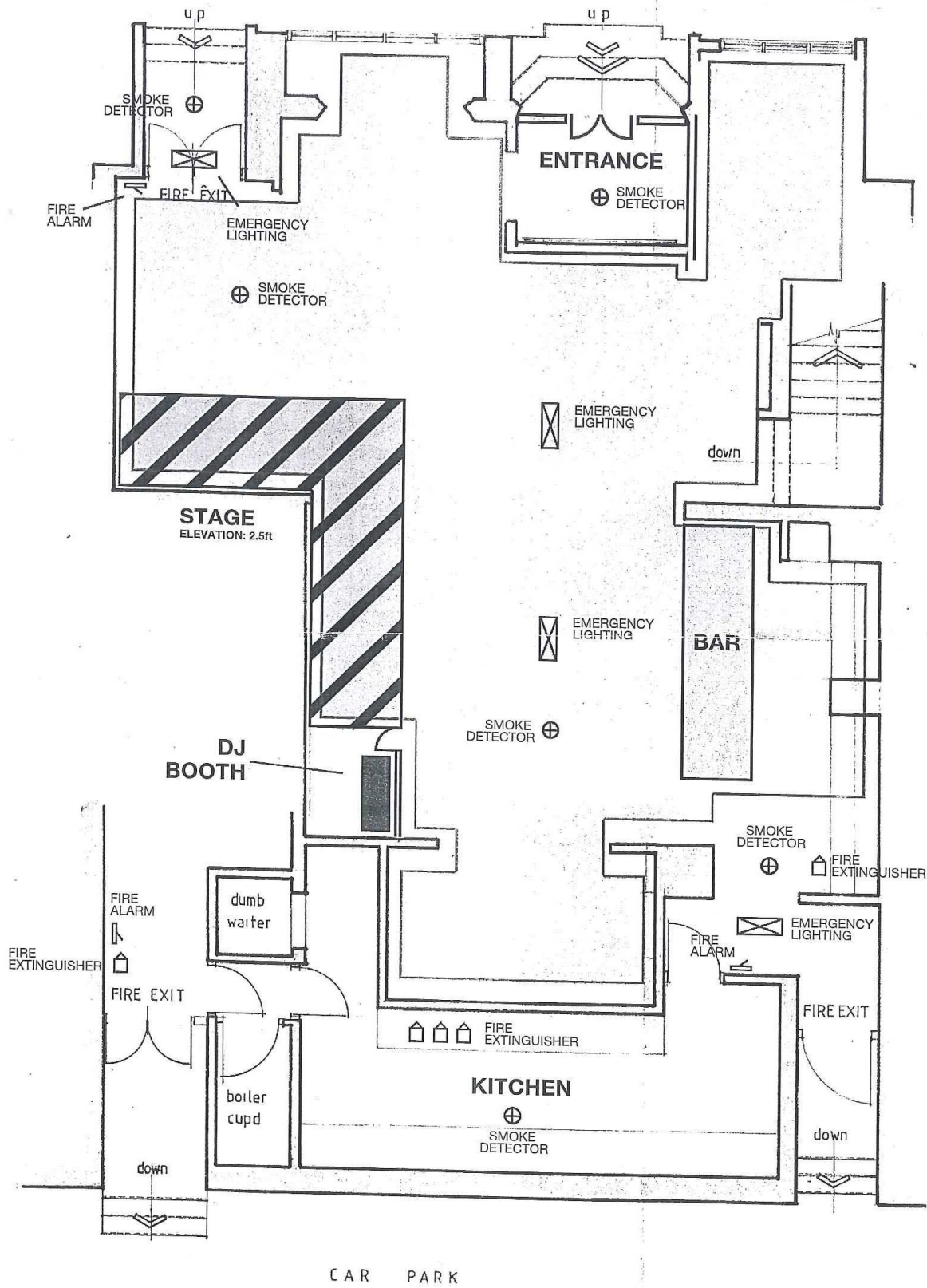
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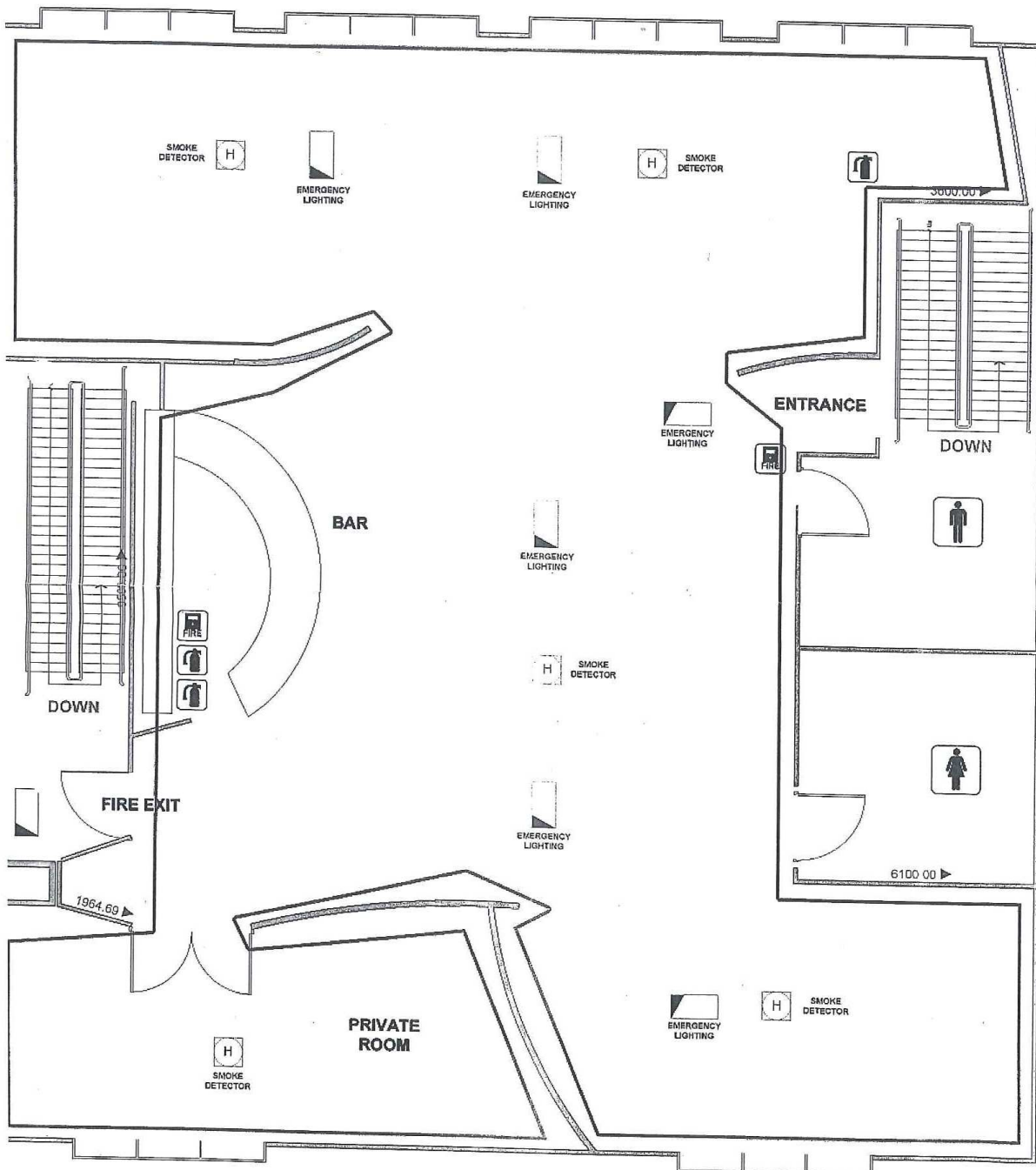
This licence was subject to a hearing on 2 February 2015. No additional conditions were attached.

This wording is proposed by officers. The inclusion of this wording does not restrict the Sub-Committee’s power to attach conditions from the licensing authority’s pool of conditions (amended or otherwise) or to compose their own conditions if they consider that they are appropriate, proportionate, justifiable, and within the applicant’s power to comply with.

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Annex 4 – Plans





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