



LICENSING SUB COMMITTEE

**The Load of Hay
207 Pinner Road**

Monday, 28th July, 2014

10.30 am

Town Hall, Watford

Publication date: 24 July 2014

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 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, M Hofman, P Jeffree, A Khan, H Lynch, B Mauthoor, M Mills, G Saffery, D Scudder and S Williams

The Sub-Committee to comprise three councillors 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. **VARIATION OF PREMISES LICENCE APPLICATION: THE LOAD OF HAY LTD, 207 PINNER ROAD, WATFORD HEATH (Pages 1 - 42)**

Report of the Head of Community and Customer Services

This report asks the Sub-Committee to consider a variation to a premises licence following the receipt of representations.

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PART A

Report to: Licensing Sub-Committee
Date of meeting: 28 July 2014
Report of: Head of Community and Customer Services
Title: Variation of Premises Licence Application:
The Load of Hay Ltd, 207 Pinner Road, Watford Heath, Watford
14/00686/LAPRE

1.0 **SUMMARY**

1.1 An application for a variation to an existing premises licence has been received from Ms Julie Wattam for The Load of Hay Ltd, 207 Pinner Road, Watford.

The application is to extend the licensed area to include a bar in the rear beer garden for the supply of alcohol only as part of the licensed premises.

Representations have been received from two interested parties.

2.0 **RECOMMENDATIONS**

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

Contact Officer:

For further information on this report please contact: Parminder Seyan,
Licensing Officer telephone 01923 278903: email:
parminder.seyan@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 premises licence.

3.2 Description of premises from the application form

The premises is a Public House in a predominantly community setting with a beer garden. It is located in the well established Watford Heath conservation area. The premises currently has a premises licence that permits the sale of alcohol for consumption both on and off the premises, as well as provision of live and recorded music and late night refreshment.

3.3 The application is to extend the licensed area to include the rear garden bar to form part of the licensed premises.

3.4 The applicant has proposed that the garden bar would only be operational each year from 1 April to 30 November for the supply of alcohol and no other licensable activities.

3.5 A map of the location of the premises is attached at appendix 1.
A plan of the premises is attached at appendix 2.

3.6 Licensable activities

No additional licensable activities have been requested.

Licensable activity	Permitted now
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 facilities for making music	
Provision of facilities for dancing	
Provision of facilities of a similar description to making music or dancing	
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	√

3.7 Licensable hours

The details of the application to vary the premises are as follows:

Existing Premises Licence	Variation Application – Garden Bar area only operational hours each year from 1 April to 30 November to be as follows:
<u>On and Off Alcohol sales</u> Monday to Thursday 11:00 – 23:00 Friday and Saturday 11:00 – 23:00 Sunday 11:00 – 22:30	<u>On and Off Alcohol sales</u> Friday and Saturday 14:00 – 23:00 Sunday 14:00 – 21:00 Bank Holidays 14:00 – 21:00
<u>Performance of Live Music</u> Saturday 19:00 – 23:30	<u>Performance of Live Music</u> Not applicable
<u>Performance of Recorded Music</u> Monday to Thursday 11:00 – 23:00 Friday and Saturday 11:00 – 00:00 Sunday 11:00 – 22:30	<u>Performance of Recorded Music</u> Not applicable
<u>Late Night Refreshment</u> Friday and Saturday 23:00 – 00:00	<u>Late Night Refreshment</u> Not applicable
<u>Opening hours of the premises</u> Monday to Thursday 11:00 – 23:30 Friday and Saturday 11:00 – 00:00 Sunday 11:00 – 23:00	<u>Opening hours of the Garden Bar</u> Friday and Saturdays 14:00 – 23:00 Sunday 14:00 – 21:00 Bank Holidays 14:00 – 21:00

A copy of the current licence is attached at appendix 3.

4.0 **BACKGROUND INFORMATION**

4.1 The following background information is known about these premises:

The premises were licensed for alcohol sales for many years prior to November 2005 when its justices' licences was converted to a premises licence under the Licensing Act 2003.

An application for Transfer of Premises licence and change of designated premises supervisor was submitted in November 2013.

4.2 Designated premises supervisor
Julie Wattam since November 2013

4.3 Current licences held
The premises has been licensed since 2005 and the current licence (13/01323/LAPRE) has been in place since November 2013.

4.4 Closing date for representations
12 July 2014

4.5 Public notice published in newspaper
20 June 2014

4.6 Visits and Enforcement action
None.

5.0 **PROMOTION OF LICENSING OBJECTIVES**

The licensing application indicates that the applicant does not feel there is a need to take any additional steps in order to promote the licensing objectives.

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

6.0 **RESPONSIBLE AUTHORITIES**

No representations have been received from any responsible authorities.

7.0 **INTERESTED PARTIES**

7.1 Two relevant representations have been received from interested parties. The relevant representations are attached at appendix 4.

Reference letter	Name	Address	Representative Body (Yes/No)	Relevance to which licensing objective
A	Ms Stephanie Marshall	33 Watford Heath	No	Public nuisance
B	Lionel and Wendy Trussell	34 Watford Heath	No	Public nuisance

7.2 The recurring theme from both the representations is that the extension of a rear garden bar will result in an increase in noise and public nuisance and have a negative impact on the neighbouring residents.

7.3 The representations highlight that the noise emanating from this establishment particularly during the evening would cause unacceptable disruption and nuisance to residents who live close to the premises.

7.4 Residents fear that the use of this garden bar for a limited period will encourage more congregation in the rear area rather than simply using the traditional internal bar area. It will also have an impact on the conservation status and their lives.

8.0 POLICY CONSIDERATIONS

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

- Sections 17 and 18 (Application for a premises licence):
Section 17 details the process which the applicant must have followed for the application to be considered valid. Section 18 describes the process by which an application for a premises licence is determined, including where relevant representations have been made as in this case.
- Section 19 (Mandatory conditions):
Section 19 details the mandatory conditions that would apply if the Sub-Committee was minded to grant a licence authorising the supply of alcohol.
- Section 34 and 35 (Variation of licences):
Section 34 details how a licence holder can make an application. Section 35 details how determinations will be made when an application is made under section 34.
- The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010
This Order adds a mandatory condition regarding the requirement for an age verification policy by the holder of any licence or certificate that authorises the supply of alcohol.

8.2 Statutory guidance

The following provisions of the Secretary of State's guidance apply to this application:

- Paragraphs 8.34 - 8.42:
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 adequate and likely to promote the licensing objectives. It is equally important to use the same measure when looking at any steps requested by a party making representation against an application.
- Chapter 10:
This chapter looks at best practice in relation to conditions that may be attached to a premises licence by the Sub-Committee, should they believe that these are necessary to promote the licensing objectives. Any additional conditions requested by the responsible authorities 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 defined as a "Public House".
- 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.

Public houses in a residential area will generally be allowed alcohol sales to midnight only (other than for special occasions).

When issuing a licence, stricter conditions with regard to noise control and limitations to opening hours may be imposed in case of premises which are situated in residential areas and are subject to relevant representations.

- Policy LP8 (Prevention of Public Nuisance):
Under this policy the committee will consider any necessary measures to deal with the potential for public nuisance and/or anti-social behaviour where relevant representations have been received.
- Policy LP11 (Representations against 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 **CONDITIONS**

9.1 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.

- 9.2 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.
- 9.3 Applicant should give consideration to the local area and reflect this in their application. It should demonstrate an awareness of the local community, local crime and disorder issues, and the local environment
- 9.4 Conditions Consistent with the operating schedule
The applicant does not feel there is a need to take any additional steps in order to promote the licensing objectives. There are no changes to the existing licensable activities, licensable hours, conditions permitted under their current licence or to the internal layout of the premises.
- 9.5 The applicant has however proposed a condition that alcohol sold from this bar will be served in plastic containers and this will now form part of the licence conditions (appendix 5).
- 9.6 Conditions proposed by the Responsible Authorities
None
- 9.7 Conditions proposed by Interested Parties
To address the residents' concerns a mediation meeting was held at the premises between the interested parties, officers and the applicant. During this meeting the residents proposed the following conditions to address the noise emanating from the premises and the applicant is in agreement:
1. The maximum capacity in the rear garden inclusive of the garden bar area at any one time will not be no more than 40 persons.
 2. The garden bar area to be operational each year from 1 April to 30 November for the sale of alcohol only between 14:00 hours and 22:45 hours and for consumption until 23:00 hours on Fridays and Saturdays and between 14:00 and 21:00 hours on Sundays and all Bank holidays.
 3. Condition 2 of Annex 2 to be amended of the existing licence to read as:

"All windows and rear door shall be kept closed during entertainment or quiz or similar events and on all other days after 21:00 hours.

In addition to the above the applicant has also addressed the residents' concern about smoke from the barbeque in the rear garden. Although not a licensable activity the applicant has agreed cooking will not start before 16:00 hours.

All the above three agreed conditions will now form part of the premises licence,. (A draft is set out at appendix 5).

9.8 Pool of Model Conditions

The licensing authority also has its own pool of model conditions that would mitigate the concerns. Officers would suggest that the following condition as appropriate given the concerns raised in the representations with regards to patrons noise when leaving the premises.

Condition	Reason
22 - Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly	To address the representations concerning public nuisance. This is appropriate, proportionate, reasonable and within the applicant's power to comply.

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

10.0 OFFICERS' OBSERVATIONS

10.1 The interested parties' properties lie to the rear of, and therefore back onto, The Load of Hay There is particular concern by residents' about the layout and the supply of alcohol from the rear garden bar. Representations have highlighted that any extension to the existing licensed area will potentially increase problems of noise, and anti-social behaviour, and the effect this could have on local residents. Noise emanating from the patrons leaving the premises, talking, congregating is becoming a regular feature and will potentially heighten.

10.2 The Sub-Committee should note that during the mediation the officers tried to address the noise problem and the parties reached some agreement. This resulted in the conditions being agreed that are set out in paragraph 9.7. However there are some areas that still need addressing and the representations were not withdrawn.

10.3 During this informal meeting the residents submitted evidence to show that the garden bar appears to be operational prior to the submission of the variation application (appendix 6). As a result of this the enforcement officer contacted the premises licence holder who advised that it was just an advertisement for the website and there was no sale or supply of alcohol. The licensing authority has not witnessed this bar being used and we have not had any complaints about it. However, the Sub-Committee should consider if any of this evidence is relevant and how much weight should be attached to it.

10.4 Members may wish to question the applicant with regards to their internal policy or procedures to monitor any outdoor areas or rear of the premises. The licensee needs to exercise control over smokers and drinkers in the

garden bar area during the operation period. The licensee and the staff have responsibility for the effective and safe management of their premises.

- 10.5 Some of the issues raised in the representations may not fall directly under the control of the applicant. Many of these issues will potentially arise whether the variation is granted or not. Issues such as parking, blocking of driveways should be considered as matters of personal responsibility and the extent to which the applicant can control this is limited. Some of these issues are already occurring, and any measures may prove hard to enforce so may be of limited benefit. These issues may not fall directly under the control of the applicant. Paragraph 2.24 of the statutory guidance states:

“Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations”.

- 10.6 References have been made to patrons blocking the pathway and creating a hazardous blind spot for road users. Objections have been raised on grounds that the grant of this application is likely to increase traffic and potentially lead to parking congestion. For the committee to accept this as a valid ground for objection, it must be satisfied that traffic and parking is relevant to one of the licensing objectives and if so, is likely to affect the licensing objectives in relation to this particular application to allow alcohol sales in the rear garden.
- 10.7 Members should note that there is in existence other primary legislation that can deal with any concerns relating to smoke, parking and traffic congestion. Thus, in order to avoid statutory duplication it may not be appropriate for the committee to attach conditions relating to parking and traffic issues. Members may need to consider how the premises licence holder can influence and control such matters.
- 10.8 Members to note that the applicant has submitted evidence from one of the residents to indicate that the premises is well-run and offers an invaluable service for local residents (appendix 7).
- 10.9 Section 4 of the 2003 Act provides that in carrying out its functions, a licensing authority must have regard to guidance issued by the Secretary of State under Section 182. The Guidance is therefore binding on all licensing authorities unless they can find good reasons for the promotion of the licensing objectives to depart from it.
- 10.10 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.
- 10.11 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 - current premises licence

Appendix 4 - representations from interested parties

Appendix 5 - draft premises licence

Appendix 6 - interested parties' evidence

Appendix 7 - applicants' evidence

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 (2014)

Licensing Act (Hearings) Regulations 2005

Watford Borough Council Licensing Policy (January 2013-18)

Watford Borough Council Pool of Model Conditions (July 2010)

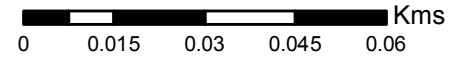
File Reference

The Load of Hay



Appendix 1

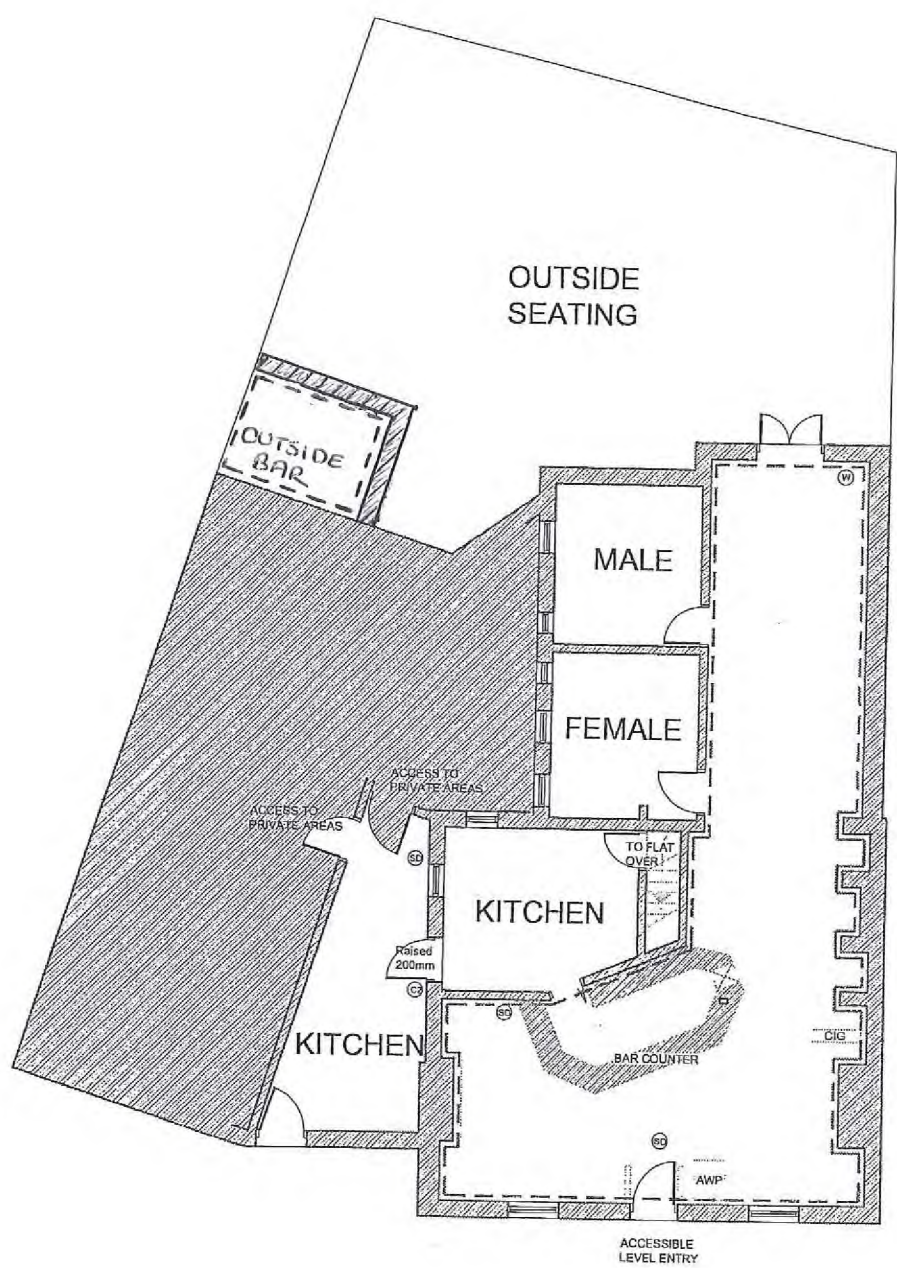
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- KEY**
- SD SMOKE DETECTOR
 - WE WATER EXTINGUISHER
 - CE CO2 EXTINGUISHER
 - CIG CIGARETTE VENDING MAC
 - AWP FRUIT MACHINE
 - DENOTES SALE OF ALCOHOL, PROVISION OF LATE NIGHT REFRESHMENT, AND PROVISION OF REGULATED ENTERTAINMENT WITH THE EXCEPTIONS THAT THE 'OUTSIDE BAR' IS LICENSED FOR SALE OF ALCOHOL ONLY

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**Licensing Act 2003
Schedule 12
Part A**

Regulation 33,34

Premises Licence

Premises Licence Number

13/01323/LAPRE

Part 1 – Premises Details

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

The Load Of Hay
207 Pinner Road
Watford
WD19 4ET

Telephone number 01923 441113

Where the licence is time limited the dates

From - 21 November 2013

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

On and off-premises alcohol sales	Mon, Tues, Weds, Thurs	11:00 - 23:00
On and off-premises alcohol sales	Friday and Saturday	11:00 - 00:00
On and off-premises alcohol sales	Sunday	11:00 - 22:30
Performance of Live Music	Saturday	19:00 - 23:30
Performance of Recorded Music	Mon, Tues, Weds, Thurs	11:00 - 23:00
Performance of Recorded Music	Friday and Saturday	11:00 - 00:00
Performance of Recorded Music	Sunday	11:00 - 22:30
Late Night Refreshment	Friday and Saturday	23:00 - 00:00

The opening hours of the premises

Monday, Tuesday, Wednesday, Thursday	11:00 - 23:30
Friday and Saturday	11:00 - 00:00
Sunday	11:00 - 23:00

Premises Licence page 1

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

On and Off supplies

Part 2

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

Ms Julie Wattam

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

Not applicable

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

Ms Julie Wattam

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: LN/000013778

Licensing Authority: Three Rivers District 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 premises 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 (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
- 4 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

Premises Licence page 4

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- 7 The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

- 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.

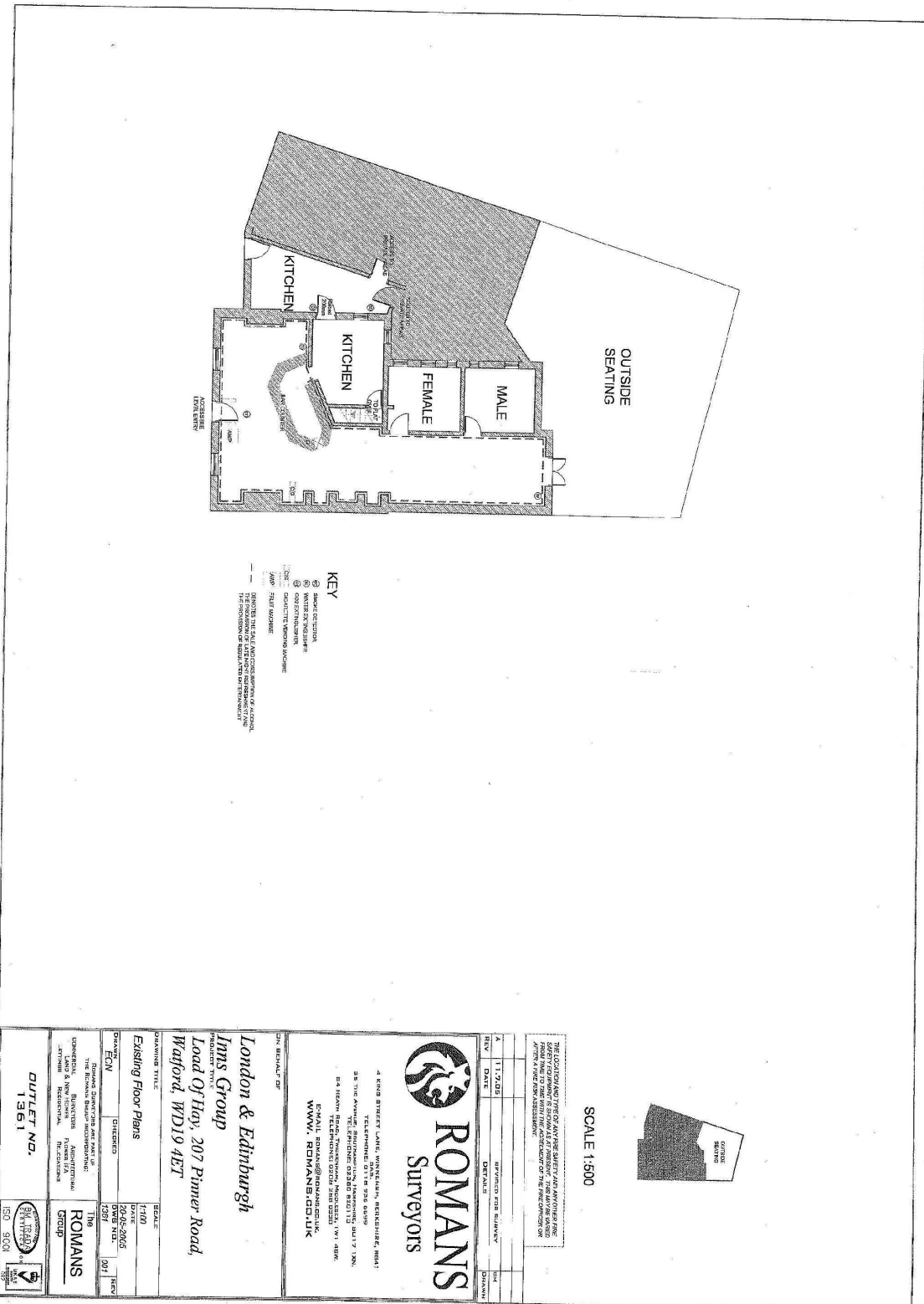
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

- 1 There will be no loud speakers placed externally or located internally and directed outside for the purpose of broadcasting entertainment. The speaker facing the rear doors will be turned off during entertainment, and will only be used for background music at other times.
- 2 All windows shall be kept closed during entertainment and on all other days after 23.00.
- 3 The front door will be closed after 23.00 and customers will be let out by managers or other staff, who will remind them of the need to leave quietly if necessary.
- 4 The use of the beer garden for the consumption of alcohol shall cease at 23.00.
- 5 No glass waste including bottles shall be handled externally after 23.00, with the exception of collection of glass/bottles from the rear garden.
- 6 The licensee will use a dedicated taxi company where patrons request staff to arrange a taxi for them. Arrangements shall be made with the taxi firm so that a system is in place to alert patrons that their taxi has arrived without the hooting of horns. Where failure to adhere to the agreed procedure takes place the management of the public house shall take appropriate action to review the agreement.
- 7 No children allowed on the premises after 19.00.
- 8 CCTV to be in operation at the premises.
- 9 The premises supervisor will actively participate in and support the local Pubwatch scheme.

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

Annex 4 – Plans



From: Stephanie Marshall
Sent: 21 June 2014 13:08
To: Licensing
Subject: Load of Hay license application, Watford Heath

Dear Mr Young

A neighbour has brought my attention to a planning application for The Load of Hay, copy letter attached.

It is not in my nature to raise objection to my fellow residents' activities as I am very much a believer in 'live and let live'; however the level of noise & traffic disturbance from The Load of Hay is fast reaching a regular nuisance level as it stands, before any proposed garden bar alterations are in place.

When I moved to Watford Heath 4 years ago, there was occasional noise & revelry from the pub, most of the time largely unnoticed, and certainly accommodated. In the past months, however, the activities at the pub have heightened drastically. Please bear in mind this is a quiet residential area with relatively little traffic or other ambient noise after rush hour to buffer the sound levels - on an average evening, normal conversation from the pub's outdoor area can be clearly heard from my doorstep. In addition to this, the arrangement & terrain of the residential properties surrounding the rear of The Load of Hay comprise low fences, lots of brick & masonry and very little foliage canopy, which result in an unfortunate acoustic amplifier and wind channel, enhancing the pub noise instead of deadening as it travels.

Smoke:

I know the pub has a barbecue area, and on regular occasions since the spring I have been unable to hang my laundry out or even go in my garden at all due to acrid smoke and cooking odours filling my garden from the pub's barbecue. I'm not averse to the odd barbecue myself, but it has got to the stage where the pub's activities on sunny weekends prevent me from any outdoor activity around my own home. Could they not do away with lunchtime burn-ups and save their barbecues for the evening, so their neighbours could at least have clean washing and be able to open their windows during the day? I fear a purpose-built garden area would exacerbate an already problematic disturbance on fair days.

Traffic:

As you may be aware, the parking bay in front of The Load of Hay is troublesome at best; always full, and as such creates a potentially hazardous blind spot at the junction of Watford Heath & Pinner Road for drivers & pedestrians alike. Pub customers use Watford Heath as overspill parking in the evenings and despite having "No Parking" painted on the road (which seems to be interpreted as an invitation), at best makes it very difficult at times to drive along Watford Heath, at worst my shared driveway is completely blocked well in to the next day, having to wait for the previous night's responsible drinkers to retrieve their vehicles. Improvements to the pub are unequivocally carried out with increased custom in mind; there simply is not the parking facility to support this.

Noise:

As said before, live and let live. I'm not a pub-going person, but I don't let my preferences bear on others' lifestyle choices. However, the increasing regularity of live mic/music nights are really becoming a nuisance. On chilly or wet evenings, when the pub's rear door to the outdoor area is closed, the noise is clearly audible from inside my house. I must confess, I have enjoyed taking part in the occasional Load of Hay pub quiz from the comfort of my living room. Whenever the pub door is opened (which is frequent and often constant, especially on fair nights) a wall of noise follows - you can forget TV, or trying to concentrate on work/study. Last night's experience of lying in bed serenaded by an endearing karaoke rendition of Spandau Ballet's 'Gold' with vuvuzela accompaniment was a particularly special moment among many. I appreciate that not many may find the bleak charm as I and as such, have had to get over the embarrassment of providing earplugs for occasional house guests - sadly I do not exaggerate - you're welcome to drop by on a Friday/Saturday evening and experience the pleasure for yourself. I don't like to complain and haven't until now, but the advent of fair weather has really upped the noise levels considerably. I cannot begin to conceive how much this will be increased by drawing the customers out into an improved garden area; quite frankly a power cut would be the only solution to the impending noise abatement, not plastic glasses.

In summary, without the prior knowledge of detail, I regrettably object to their planned outdoor improvements and furthermore, would like to register my concern of current nuisance levels before any proposed alterations commence. It is something I do with reluctance, firstly for not having spoken to the pub landlords before writing to you, and secondly because I appreciate the pub needs to earn a living, which will always go hand in hand with a certain degree of generic disturbance.

Please feel free to share my letter with The Load of Hay, I would be happy to start a dialogue with them to find out what their planned improvements may entail and whether they might, in fact, be designed to improve existing disturbance levels for their neighbours. On that note, I would like to stress that, in case it is raised, no other resident of Watford Heath has ever been given permission to speak on my behalf in matters of complaint - my views are my own and have not been voiced until this letter...

Yours

Stephanie Marshall
33 Watford Heath

From: Wendy & Lionel Trussell
Sent: 12 July 2014 09:54
To: Licensing
Subject: Load of Hay Pinner Road Watford

To Austen Young

Having been away I have only just learnt of the proposed variation to the existing license in respect of the above public house. My garden backs on to the patio garden of The Load of Hay and, at times, particularly when evening entertainment is provided the customers can be very noisy. On such evenings customers come from far and wide so also create parking problems around Watford Heath which, as you will know, is a Conservation Area. To allow an outside bar albeit for a limited period will only encourage more customers, particularly smokers, to use the area instead of the traditional internal bar area. I do know that the owners of adjoining and surrounding properties are unhappy with the present condition and any variation to the License will certainly not improve matters.

Lionel and Wendy Trussell



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**Licensing Act 2003
Schedule 12
Part A**

Regulation 33,34

Premises Licence

Premises Licence Number

14/00686/LAPRE

Part 1 – Premises Details

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

The Load Of Hay
207 Pinner Road
Watford
WD19 4ET

Telephone number 01923 441113

Where the licence is time limited the dates

From – 13 July 2014

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

On and off-premises alcohol sales	Mon, Tues, Weds, Thurs	11:00 - 23:00
On and off-premises alcohol sales	Friday and Saturday	11:00 - 00:00
On and off-premises alcohol sales	Sunday	11:00 - 22:30
Performance of Live Music	Saturday	19:00 - 23:30
Performance of Recorded Music	Mon, Tues, Weds, Thurs	11:00 - 23:00
Performance of Recorded Music	Friday and Saturday	11:00 - 00:00
Performance of Recorded Music	Sunday	11:00 - 22:30
Late Night Refreshment	Friday and Saturday	23:00 - 00:00

The opening hours of the premises

Monday, Tuesday, Wednesday, Thursday	11:00 - 23:30
Friday and Saturday	11:00 - 00:00
Sunday	11:00 - 23:00

--

<p>Where the licence authorises supplies of alcohol whether these are on and / or off supplies</p> <p>On and Off supplies</p>
--

DRAFT

Part 2

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

Ms Julie Wattam
(address redacted)

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

Not applicable

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

Julie Wattam
(address redacted)

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: LN/000013778
Licensing Authority: Three Rivers District Council

DRAFT

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 premises 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 (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
- 4 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

- 7 The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

- 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.

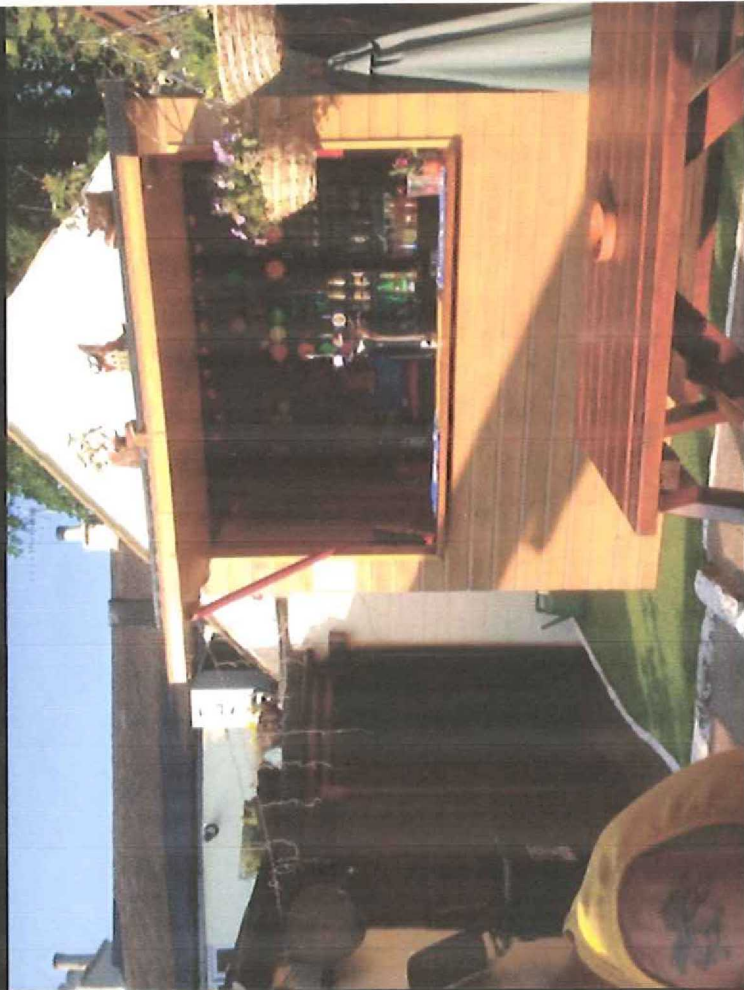
Annex 2 – Conditions consistent with the Operating Schedule

- 1 There will be no loud speakers placed externally or located internally and directed outside for the purpose of broadcasting entertainment. The speaker facing the rear doors will be turned off during entertainment, and will only be used for background music at other times.
- 2 All windows shall be kept closed during entertainment and on all other days after 23.00.
- 3 The front door will be closed after 23.00 and customers will be let out by managers or other staff, who will remind them of the need to leave quietly if necessary.
- 4 The use of the beer garden for the consumption of alcohol shall cease at 23.00.
- 5 No glass waste including bottles shall be handled externally after 23.00, with the exception of collection of glass/bottles from the rear garden.
- 6 The licensee will use a dedicated taxi company where patrons request staff to arrange a taxi for them. Arrangements shall be made with the taxi firm so that a system is in place to alert patrons that their taxi has arrived without the hooting of horns. Where failure to adhere to the agreed procedure takes place the management of the public house shall take appropriate action to review the agreement.
- 7 No children allowed on the premises after 19.00.
- 8 CCTV to be in operation at the premises.
- 9 The premises supervisor will actively participate in and support the local Pubwatch scheme.
- 10 ***Alcohol sold from the garden bar will be in plastic containers.***
(This condition is taken and modified from the applicant's section 3 of the application).
- 11 ***Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.***
(The above condition is adapted from the pool of model conditions and is appropriate for the prevention of public nuisance).
12. ***The maximum capacity in the rear garden inclusive of the garden bar area at any one time will not be more than 40 persons.***
13. ***The garden bar area to be operational each year from 1 April to 30 November for the sale of alcohol between 14:00 hours and 22:45 hours and for consumption until 23:00 hours on Fridays and Saturdays and between 14:00 and 21:00 hours on Sundays and all Bank holidays.***
14. ***Condition 2 of Annex 2 to be amended of the existing licence to read as:***
“All windows and rear door shall be kept closed during entertainment or quiz or similar events and on all other days after 21:00 hours.”

(The above three agreed conditions were proposed by the Interested parties and agreed by the applicant).

DRAFT

DRAFT



Have a right old cockney knees-up
Liked · 21 May

Like · Comment · Share
68 people like this. Top Comments

Sam Bam Wattam Hope that bars ready for some action this weekend!!!
Like · Reply · 📌 3 · 21 May at 16:17

Load Of Hay Yep , BBQ on Monday 😊 weather permitting of course 😊
Like · Reply · 21 May at 22:55

Hannah Smith Looks awesome! Is there a BBQ on Monday?
Like · Reply · 📌 1 · 21 May at 17:12

Carol Wothers Yep the wattams are coming!!
Xx
Like · Reply · 📌 1 · 21 May at 16:22

Mitchy Barraciough Oh wow wish i was in wattford !
Like · Reply · 22 May at 14:40

Write a comment...

1

tvChix *a love less ordinary*

... sharing life, laughter and handbags with my transgender partner

OF JEROME NOW
LALITA NEWMAN

Home - Venue Directory - The Load of Hay

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Username:

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Venue Map

The Load Of Hay (Pub) Watford, Hertfordshire

 **Contact Details:**
Telephone: 01923 441113
Website: <http://www.loadofhay.co.uk/>

Address:
207 Premier Rd
Watford
Hertfordshire
WD17 4ET
England

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Venue Details | Upcoming Events | Recent Reviews | Event Images

Description:
LBOT pub just on the south side of Watford, just 10 mins walk from Bushey Train Station, plenty of parking, outdoor and heated bar.



Marketplace

Electric Lingerie
Silver Lure Body with
Garter Stockings

£22.99

Makeovers

permanence
Semi-perm
England

Bumps!

happy birthday to
my friend
Westminster

stocking put
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Back to Venue Directory

2

The Load of Hay Restaurant Reviews, Watford, United Kin...



load of hay watford - Bing

Was this review helpful? **Yes**

"Load o' hay"
 Reviewed 17 June 2014
 Best pub in the area by a long way. Staff are the best, bar/kitchen both are so welcoming. Even the customers are worth meeting. You have to check it out!!!!

Was this review helpful? **Yes**

"Cute"
 Reviewed 15 May 2014
 Cute little bar, inquisitive drinks and Oliver the barman was warm and friendly. Although we did not eat the food small and looked amazing. A must visit!

Was this review helpful? **Yes**

"Great beer garden!"
 Reviewed 14 May 2014 via mobile
 The beer garden has just been done up with a new outside bar, it's brilliant. Will be going throughout the summer!

Was this review helpful? **Yes**

"Great beer garden area"
 Reviewed 10 May 2014
 We visited the pub only, no food, for a couple of pints with a friend, friendly and safe little pub for a pint or two. Would both visit again so thumbs up. The beer and smokers area was nice and tidy too, have heard the food is good.

Was this review helpful? **Yes**

"A Bateful of Friendship: Atmosphere and Beer - aka F.A.B"
 Reviewed 29 April 2014
 As far as quintessential - Last-friendly house, quady-reached Inn-in-the-Road type places go, few will surpass this neat, and over-so warming, Tavern. The Owners and Staff have re-defined the true character of what this place is all about. New-comers and locals are greeted and welcomed with equal measure - a bastion of laughter - never short of events up-and-coming - and a much-loved place to enjoy a well-cooked meal. I imagine that anyone who, per chance, is passing by, would truly

Popular Watford restaurants

- Paper Republic
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- Gowan Bell Cofee
- Nana's
- The Authentic Thai Cuisine at The Nassos Arms Watford
- Spec Lounge
- Gokula Vegetarian Cafe
- The Royal Oak
- Saffron
- Bambacuda
- Bar Bodonga
- Karnet Kebabs
- Broad Butler and Grill
- Rabban Indian Restaurant
- Yakimegh
- Kwame's Cafe
- Steakhouse
- Mursoon
- The LP Cafe

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Procrastinator?
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Cratum E
 London, United Kingdom
 Reviewer
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Wozlan
 Watford, United Kingdom
 1 review
 1 helpful vote

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TheLoadOfHay
24 March · 📍

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Load Of Hay was mentioned in a post

TheLoadOfHay
24 March · Watford · 📍

Quiz Night tonight at the Load Of Hay

Like Share

👍 3 people like this.

4

Load Of Hay

Create Page

WD19 4ET Watford, United Kingdom
Phone: 01923 441113
Email: julie@loadofhay.co.uk
Website: http://www.loadofhay.co.uk

Hours
Mon - Thu: 11:00 - 23:30
Fri - Sat: 11:00 - 00:30
Sun: 11:00 - 23:30

View Menu

Specialities
Lunch
Dinner
Coffee
Drinks

Attire
Casual

Services
Takes bookings
Walk-ins welcome
Good for groups or parties
Catering
Table service
Outdoor seating

General manager
Julie Wattam

Parking
Street

Payment options
Visa
Mastercard

Also on
Foursquare
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About
Watford's Gay & Lesbian Pub Hertfordshire

Description
We are a well established GAY venue in Watford, Herts. We are extremely friendly and good fun. Friday & Saturday nights are party nights with good loud music. Come and join us, we look forward to seeing you soon.

General information
The Load of Hay is a well established GAY friendly bar. We have been there for over 20 years and we pride ourselves on our friendliness, great quality food and embrace everyone. We have a lovely beer garden at the back with heaters and cover. A little oasis in Watford Heath.

The Load of Hay has been around since 1843 in many different guises. Its now the heart of the LGBT community as one of Watford & Hertfordshire well established Gay venues.

A safe welcoming environment and everyone is welcome.

We have regular monthly themed Nights, Quiz Night every Monday, party night on Friday & Saturday, Karaoke and theme events as listed on Facebook. Bingo every last Sunday. Munch night is the third Tuesday of the month and T & G night the first Sunday of the month

Sponsored

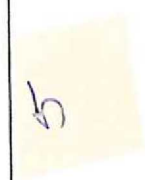
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Like · Comment · 3

Paul Scawthorn
 ★★★★★ 08/05/2014
 Great little bar, Oliver the bar tender was so friendly. As it was Thursday late afternoon not so much in way of hot men but Oliver made up for it!!!

Like · Comment · 2
 Help people find great places. Write Review

LIKED BY THIS PAGE

The Load Of Hay
 Like

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Gingerbeer - The Lesbian ...
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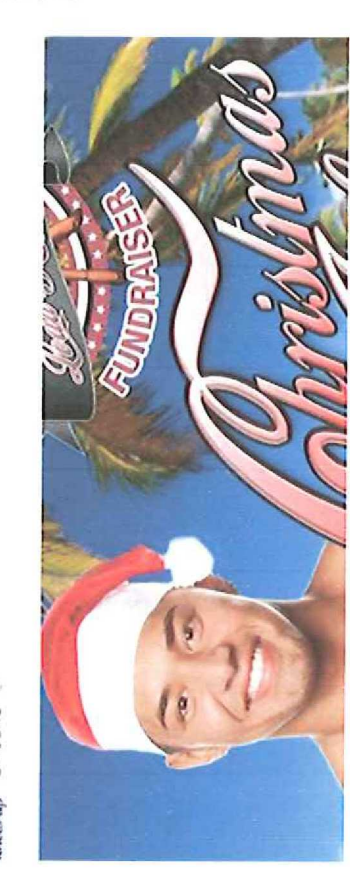
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Load Of Hay changed their cover photo.
 27 June



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 2 people like this.
 Write a comment...

Load Of Hay created an event.
 24 June



Christmas in July
 26 July at 20:30

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6

27 Watford Heath,

Oxhey,
Hertfordshire,
WD19 4EU

16th July 2014

Re: License for Garden Bar @ The Load of Hay

FAO: The Landlady / To whom it may concern :

I am writing as I have seen your notice about license permission for the Garden Bar at the Load of Hay.

As residents of the Heath, and keen participants of the surrounding community / village life, we can only say how much we all love coming to The Load of Hay with both family & friends, and feel that it offers a great service and social meeting place to the local surrounding Community.

You are family friendly for lunches, which we really appreciate as busy parents, and your evening entertainment is always a welcome and enjoyable diversion!
We believe wholeheartedly that the Garden Bar will enhance rather than detract from the service you currently offer and would welcome it, especially during the summer months when the Heath is a very special & lovely place to be.

We have lived in the area for nearly two years (having lived in a very non community orientated area previously) and the warm & open welcome that our family has received in both pubs (the Royal Oak also offers an invaluable service for the Locals), and by the neighbours has made us want to stay permanently!

Yours Sincerely,

Lesley McCabe & John Kernan

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