



**WATFORD
BOROUGH
COUNCIL**

LICENSING SUB COMMITTEE

21 July 2023

10.30 am

Annexe, Town Hall, Watford

Please note the start time of this meeting

Contact

Laura MacMillan
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For information about attending meetings please visit the council's [website](#).

Publication date: 13 July 2023

Committee Membership

Councillors A Grimston and G Saffery and R Wenham

Agenda

Part A – Open to the Public

- 1. Committee membership/ election of a Chair**
- 2. Disclosure of interests (if any)**
- 3. Application to vary the premises licence - Dunnings Free House, 153 St Albans Road Watford WD17 5BB (Pages 3 - 83)**

PART A

Report to: Licensing Sub Committee
Date of meeting: Friday, 21 July 2023
Report of: Licensing Officer (PS)
Title: Application to vary the premises licence - Dunnings Free House, 153 St Albans Road Watford WD17 5BB

1.0 Summary

1.1 An application has been made by Elaine Dunning to vary the existing premises licence that they hold for Dunnings Free House, 153 St Albans Road Watford WD24 5BB

1.2 Members are reminded that representations are only relevant if they relate to one or more of the licensing objectives. The four licensing objectives are:

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

1.3 During the consultation period representations against this application have been received from local residents and businesses, both in support of and opposing the application.

2.0 Risks

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(Treat, tolerate, terminate, transfer)</i>	Risk Rating (the combination of severity and likelihood)
Appeal against decision by applicant or objectors	Decision overturned by the courts with potential of costs being awarded against council if decision is	Determination of application given with detailed reasons and after considering evidence	Treat	2

	not justified or legal	before the committee, the Council's licensing policy, statutory guidance, and legislation		
Judicial review of decision by applicant, objectors, or consultees	Negative perception of the council and its licensing system	Treat in accordance with the legislation, the statutory guidance, and the council's licensing policy, with both applicants and objectors being given fair chance to present their arguments to the committee	Treat	1

3.0 Recommendations

- 3.1 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: Parminder Seyan telephone: email: parminder.seyan@watford.gov.uk

Report approved by:

4.0 Application

4.1 Type of authorisation applied for

Application to vary the premises licence. The proposed variation under part 3 of the application is as follows:

1. To remove from conditions 1, 2, 3, 4 and 5 from Annex 2 of the existing premises licence.
 2. To add the provision of films
 3. To extend on and off sales of alcohol until 01:30 on Friday and Saturday.
 4. To extend the hours for the sale of alcohol any Thursday and Sunday immediately preceding a Bank holiday until 02:00.
 5. To extend the hours of regulated entertainment (live and recorded) inside the premises until 01:30 on Friday and Saturday.
 6. To extend the hours for regulated entertainment any Thursday and Sunday immediately preceding a Bank holiday until 02:00.
 7. To include the outside rear garden in the remit of licensable areas.
 8. To extend the Opening Hours until 02:00 Friday and Saturday
 9. To extend the opening hours any Thursday and Sunday immediately preceding a Bank holiday until 02:30.
 10. To extend the opening hours of the premises to open from 08:00 Monday to Sunday for non-licensable activities.
 11. Addition of non-standard timings to licensable activities.
 12. To amend existing condition 8 to read as follows:

'The use of the outside rear garden for consumption of alcohol shall cease at 00:00hrs Friday and Saturday, 23:00hrs on Sunday-Thursday.'
 13. Add additional conditions under Annex 2 of the premises licence for the promotion of the licensing objectives.
 14. Amend the licensing plan to reflect changes to the layout of the premises and outside area.
- A redacted copy of the application showing full details and conditions offered, as well as timings is attached at appendix A.

4.2 **Description of premises**

- 4.3 The premises are currently operating as a public house. A copy of the current premises licence and plan is at appendix 2.
- 4.4 Under Policy LP1 the proposed use would be defined as a public house with the sale of alcohol for consumption both on and off the premises, regulated entertainment and late night refreshment. Under policy LP2 the premises is located in an area with a residential and commercial properties. The premises has a rear garden with a covered outdoor seating area with adjoining residential properties and flats.
- 4.5 A map of the location is attached at appendix 3.
- 4.6 A plan showing the proposed layout of the premises to include the rear garden in the remit of licensable areas is attached at appendix 4.
- 4.7 **Licensable activities**

This application has applied for a variation of their existing licence as follows:

Licensable activity	Permitted	Requested
Plays		
Films		✓
Indoor sporting events		
Boxing or wrestling entertainment		
Live music	✓	✓
Recorded music	✓	✓
Performances of dance		
Entertainment of a similar description to live or recorded music, or dance		
Provision of late night refreshment	✓	
Sale of alcohol for consumption on the premises	✓	✓
Sale of alcohol for consumption off the premises	✓	✓

4.8 **Licensable hours**

The currently permitted and proposed hours for the licensable activity and premises opening are detailed in the table below:

	Existing hours premises open to the public	Proposed hours for the premises to be open to the public	Existing hours for the sale of alcohol	Proposed hours for sale of alcohol
Monday	11:00 – 00:00	08:00 - 00:00	11:00 – 23:30	No change

Tuesday	11:00 – 00:00	08:00 – 00:00	11:00 – 23:30	No change
Wednesday	11:00 – 00:00	08:00 – 00:00	11:00 – 23:30	No change
Thursday	11:00 – 00:00	08:00 – 00:00	11:00 – 23:30	No change
Friday	11:00 - 01:00	08:00 - 02:00	11:00 – 00:30	11:00 - 01:30
Saturday	11:00 - 01:00	08:00 – 02:00	11:00 – 00:30	11:00 – 01:30
Sunday	11:00 – 00:00	08:00 – 00:00	11:00 – 23:30	No change

	Existing hours for live music	Proposed hours for live music	Existing hours for Recorded music	Proposed hours for Recorded music
Monday	N/A	N/A	N/A	N/A
Tuesday	N/A	N/A	N/A	N/A
Wednesday	N/A	N/A	N/A	N/A
Thursday	N/A	N/A	N/A	N/A
Friday	11:00 – 00:00	11:00 – 01:30	11:00 – 00:00	11:00 – 01:30
Saturday	11:00 – 00:00	11:00 – 01:30	11:00 – 00:00	11:00 – 01:30
Sunday	11:00 – 00:00	No change	11:00 – 00:00	No change

	Existing hours for films	Proposed hours for films*
Monday	N/A	11:00 – 00:00
Tuesday	N/A	11:00 – 00:00
Wednesday	N/A	11:00 – 00:00
Thursday	N/A	11:00 – 00:00
Friday	N/A	11:00 – 00:00
Saturday	N/A	11:00 – 00:00
Sunday	N/A	11:00 – 00:00

*These would be new licensable activities added to the licence

4.9 **Non-Standard hours :**

4.9.1 Existing Non-standard Hours For supply of alcohol:

Boxing Day 11:00 – 00:30
 New Year's Day 11:00 - 01:30
 St Patrick's Day 11:00 – 00:30

For Live music, Recorded music, late night refreshment & opening hours:

Boxing Day 11:00 – 01:00
 New Year's Day 11:00 – 02:00

St Patrick's Day 11:00 – 01:00

4.9.2 Proposed Non-Standard Hours for films, live music; recorded music, supply of alcohol:

Christmas Eve 11:00 – 02:00

Boxing Day 11:00 – 02:00

New Year's Day 11:00 – 02:00

St Patrick's Day 11:00 – 02:00

Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:00

Proposed Non-Standard Opening Hours:

Christmas Eve 08:00 – 02:30

Boxing Day 08:00 – 02:30

New Year's Day 08:00 – 02:30

St Patrick's Day 08:00 – 02:30

Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:30

5.0 **Background information**

The following background information is known about these premises:

5.1 **Proposed Designated Premises Supervisor**

Elaine Dunning

5.2 **Current licences held**

22/01179/PRED

5.3 **Closing date for representations**

28 June 2023

5.4 **Public notice published in newspaper**

9 June 2023

5.5 **Visits and Enforcement action**

The committee have requested that we note the history of visits and enforcement actions which is as follows:

13.6.2022 – There was a complaint from Police about lack of staff when premises is busy during the night. A visit was made by the licensing enforcement officer where he liaised with the owners and confirmed that the door staff were already employed when required and this provision was also increased when necessary. No further follow up required.

21.10.2019 - A noise complaint from nearby resident. Officers contacted the complainant and no further follow up required.

10.7.2018 – Complaint received by Environmental Health relating to people hanging around outside as the noise level is extremely high. Officers unable to correspond as no address or contact details provided.

Temporary Event Notices applied for the following dates and timings:

16.3.2023 -19.3.2023 for regulated entertainment Thursday & Sunday 23:30-00:30 hours, Friday & Saturday 00:30 – 01:30 hours.

For on sale of alcohol (consumption on premises only) Thursday & Sunday 23:00 – 00:30 hours, Friday & Saturday 00:30 – 01:30 hours.

Provision of late-night refreshment Thursday & Sunday 23:00 – 00:30 hours, Friday & Saturday 00:30 – 01:30 hours.

24.6.2023 – 25.6.2023 for both on-off sale of alcohol from 09:00 – 11:00 hours.

30.6.2023-2.7.2023 – Late TEN from 23:00 – 02:00 hours. Police amended alcohol sales until 01:30 hours, close at 02:00 hours (Police proposed what was agreed on recently submitted variation application).

6.0 Promotion of the licensing objectives

6.1 The operating schedule submitted by the applicant to describe the steps that they intend to take to promote the licensing objectives and the nature of the proposed variation is included within the application form attached at appendix 1.

6.2 The applicant has provided an overview of the Dunning premises and an external management plan attached at appendix 7.

6.3 A dispersal at the end of the night policy is attached at appendix 8.

6.4 As a result of discussions with the responsible authorities, members are advised that the operating schedule has been amended since the application was originally made. These amendments and any conditions agreed with the responsible authorities are detailed later in the report.

7.0 Representations

7.1 Responsible Authorities

The Police managed to secure the agreement of the applicant to amend their operating schedule and agree to specific conditions. As a result, the Police did not submit formal representations. Again, these conditions are covered later in the report.

7.2 No responsible authority submitted representations or agreed any additional steps with the premises.

7.3 **Other Relevant Bodies**

Representations have been received from the Other Persons listed below.

Ref	Representative Body (Yes/No)	Representations made on which licensing objective(s)
5A	No	Crime & Disorder, Public Nuisance
5B	No	Crime & Disorder, Public Nuisance
5C	No	Crime & Disorder, Public Nuisance & Public Safety
5D	No	Crime & Disorder, Public Nuisance
5E	No	Crime & Disorder, Public Nuisance
5F	No	Crime & Disorder, Public Nuisance

7.4 These representations are attached at Appendix 5.

7.5 Representations in support has been received from the person listed below attached at appendix 6.

7.6 One of the representations is from the local ward member representing Callowland ward residents. The ward councillor objections are based on crime and disorder and public nuisance licensing objectives, this is due to noise concerns both from music and noise of people along with customers behaviour outside the premises. At the time of writing this report the ward Councillor has submitted video evidence in addition to the original representation. This video has been circulated to all parties.

7.7 One of the representations 5C is in the form of a petition. Some of the objectors have made their own unique representations however some have not. For the sake of this report, we will treat representation 5C as a petition. Members are advised that petitions have no specific legal standing under the Licensing Act 2003. It is for Members to decide how much weight to attach to this petition.

7.8 In accordance with Policy LP11, officers must advise that representations from one other person was judged to be frivolous as it gave no valid grounds for making representations nor any address details.

7.9 The relevant hearing notices along with the amended police conditions during the statutory public consultation, were sent to the other persons.

7.10 At the time of writing this report the objectors have either advised that they wish their representations to still stand or have not confirmed that their representations

are to be withdrawn and therefore must still be considered

8.0 **Policy considerations**

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

- Section 34 and 35(Variation of a premises licence):
Section 34 details how a licence holder can make an application to vary the premises licence.
Section 35 details how determinations will be made when an application is made under section 34.
- The Licensing Act 2003 (Hearing) Regulations 2005 (as amended)
These regulations detail how hearing 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 (December 2022) apply to this application:

Paragraphs 8.41 – 8.49

These paragraphs explain how steps should be taken to promote the licensing objectives. It is for the Sub- Committee to decide in the 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 measures when looking at any steps requested by a party making representations against an application.

Paragraphs 9.31 – 9.41

These paragraphs explain that hearings should be focussed on the steps considered appropriate for 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 9.42 – 9.44

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.

Paragraph 10.14:

This paragraph refers to where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing

authority determines that this would undermine the licensing objectives, it may reject the application, grant it with appropriate conditions and/or different hours from those requested.

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.

Chapter 16

Paragraph 16.26 explains what entertainment is and when it is not licensable. This chapter also confirms that licence conditions which relate specifically to entertainment are suspended (therefore have no effect) when certain criteria are met.

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 location

Under this policy, officers would define this premises as a public house.

Policy LP 2 - Location and operation of the 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 policy states that public houses within shopping or residential areas will be allowed alcohol sales to midnight only (other than for special occasions).

Policy LP6 – Prevention of crime and disorder

Under this policy the committee will consider any appropriate measures to deal with the potential for crime and disorder where relevant representations have been received, and this policy highlights areas of particular concern.

Policy LP7 – Public safety

Under this policy, the committee will consider any appropriate measures to mitigate risks to public safety where relevant representations have been received. This policy highlights measures that the committee may address through conditions, while also stating that conditions should not seek to duplicate existing health and safety requirements.

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 antisocial behaviour where relevant

representations have been received.

Policy LP9 – Protection of children from harm

This policy details the approaches expected from applicants to promote this licensing objective, and what factors the committee will take into account when considering concerns under this objective.

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 Sub-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 Sub-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, and 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 reminded 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 Applicants 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 agreed with responsible authorities

- 9.5 During the statutory consultation the applicant amended the application to include the following conditions agreed between the applicant and the police which would be attached to any premises licence granted under this application:

1. The premises shall install and maintain a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition.

The system shall continually record whilst the premises is open for licensable activities and during all times when staff and 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 available to a police officer or an authorised officer of the licensing authority upon request throughout the preceding 31 days period.

2. A staff member from the premises who is fully conversant with the operation of the CCTV system shall be able to show a police officer or an authorised officer of the licensing authority data or footage upon request.
3. All faults with the CCTV system shall be repaired as soon as possible and in any case within three working days after which time, if the system is still inoperative no licensable activities shall take place without the agreement of the Police Licensing Unit or the licensing authority until the fault is rectified.
4. SIA licensed door supervisors (ratio 1:75) shall be on duty at the premises on Friday and Saturdays, Thursdays or Sundays preceding a Bank Holiday, and any Non-Standard Timings (Xmas Eve, Boxing Day, St Patricks Day, New Year's Eve, New Year's Day, etc) from 22:00 until close.
5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
6. Notices shall be prominently displayed at any area used for smoking requesting patrons to use the area quietly.
7. An incident log shall be kept at the premises for at least 12 months, and made available on request to a police officer or an authorised officer of the licensing authority, which will record the following:
 - (a) All crimes reported to or by the premises to the police
 - (b) All ejections of patrons
 - (c) Any incidents of crime and disorder
 - (d) Seizures of drugs, offensive weapons, fraudulent ID or other items
 - (e) Any faults with the CCTV system
 - (f) Any refusal of the sale of alcohol
8. The premises must implement a 'Challenge 25' policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or PASS (Proof of Age Scheme) approved identification before being allowed to purchase alcohol. Signage shall be displayed within the premises for Challenge 25.
9. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, monitor patron's alcohol

consumption, to maintain the incident book, and monitor staff to ensure their training is put into practice.

10. Children under 18 must be accompanied by an adult over 18 years of age and are prohibited after 22:00hrs, unless attending a private function and supervised by a person over the age of 18 years.
11. The DPS or Premises Licence Holder shall make arrangements to ensure so far as is reasonably practicable that no customers shall be permitted to remove from the premises any open bottles, glasses or foodstuff for consumption or disposal outside the premises.
12. Notices shall be prominently displayed indicating it is illegal to sell alcohol to a person under the age of 18 years.
13. The premises shall have a Dispersal Policy in place to help manage the effective dispersal of patrons. If any updates are made to the policy, then the updated version shall be served on the authorities.
14. A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Licensing Authority at all times whilst the premises is open.
15. Appropriate signage shall be displayed in prominent positions in the premises notifying customers that the rear area is not to be used after 00:00hrs except for patrons going out to smoke.
16. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
17. Regulated Entertainment in the outside areas shall cease at 23:00hrs.

9.6 In reference to the following condition agreed between the Police and the applicant:

“The regulated entertainment in the outside area shall cease at 23:00 hours”, officers would suggest clarifying this condition to read as follows:

“No Regulated Entertainment shall take place in an outside area or garden area between the hours of 23:00 hours and the start of licensable activities the following day”.

This builds upon the agreed condition and lays out what is expected of the premises.

9.7 Conditions consistent with the operating schedule

Officers do not propose any additional conditions which are consistent with the applicant's operating schedule.

9.8 Conditions proposed by other objectors

None

9.9 Pool of Model Conditions

In addition to any conditions proposed by the responsible authorities or objectors, the licensing authority also has its own pool of model conditions that may help mitigate the concerns raised in the representations.

9.10 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.

9.11 A draft Premises Licence which reflects this application and the conditions which are proposed in the preceding paragraphs is attached at Appendix 5.

10.0 Officers' observations

10.1 As relevant representations in respect of this application have been received, and have not been withdrawn, the Licensing Committee acting on behalf of the licensing authority must make a determination on this application.

10.2 It is recommended that in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing thus provides an opportunity for the person or body making the representation to amplify or clarify it.

10.3 Officers would advise, as is standard practice, all parties were offered mediation in respect of this application, but no requests have been received and therefore not pursued.

10.4 The overarching theme from residents is that if the licence is granted there may be an increase in anti-social behaviour and the effect this could have on the local residents. Members are reminded of paragraph 2.21 of the statutory Guidance, which states that "Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law an individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area,

or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.”

- 10.5 Residents are concerned about the proposed hours of operation and if granted, residents within this area will be at risk of further disruption on a regular basis and on bank holidays. Furthermore, it is anticipated that the noise from the building and in the beer garden/smoking area would be even louder not just when live music is played inside the premises.
- 10.6 Officers are aware that the representations make specific mention of concerns over the provision of music. During the consultation period there have been further discussions and agreement between the police and the applicant that regulated entertainment in the outside areas shall cease at 23:00 hours, referred to at appendix 9, draft premises licence condition 22.
- 10.7 It is noted that this application does concern an extension to hours into the night/early morning. Paragraph 2.19 of the Statutory Guidance states:
- “Where applications give rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This why there is still a need for a licence for performances of live music between 11pm and 8am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipate as customers enter and leave.”
- 10.8 The Sub-Committee will need to consider the hours of operation, the effectiveness of the operating schedule by the applicant, the representations received, the location of the premise, the history of the management of the premises (if applicable), the evidence provided of any problems in the past, the likely impact of any extension of hours and activities, the right the applicant has to operate a business and balancing the rights of the residents to the quiet enjoyment and privacy of family life. These and other relevant issues may be explored at the hearing as far as it reflects the proposed impact of the application on the four licensing objectives.
- 10.9 The other persons have concerns that the application would undermine the licensing objectives the prevention of public nuisance and crime and disorder. Members should consider whether the proposed variation would undermine the licensing objectives and can ask the questions of both the applicant and the residents before making a decision.
- 10.10 For the avoidance of doubt, Members are reminded that the purpose of the hearing is to determine the variation application and may not to used to reduce or remove

existing licensable activities. The Committee's decision should therefore relate to the effect of the licensable activities on the licensing objectives.

- 10.11 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add a new condition, including restricting the times of which licensable activities authorised by the licence can take place. However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 10.12 With the exception of adding conditions the Sub Committee also has the option to limit the operating hours however, would be required to give reasons for this.
- 10.13 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.
- 10.14 Members are also to attach whatever weight they see fit to both the submissions of the applicant, and to the submissions of the objectors, when considering this application.
- 10.15 The Sub-Committee is reminded that it has a duty to "have regard" to the licensing policy but is 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.

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.

It is important that a licensing authority should give reasons for its decision in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

Appendices

Appendix 1 – Application

Appendix 2 – Existing premises licence

Appendix 3 – Location

Appendix 4 – Plan

Appendix 5 – Other Person Representations

Appendix 6 - Other Person In-Support

Appendix 7 - External Management Plan
Appendix 8 - Dispersal Policy
Appendix 9 - Draft premises licence

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 December 2022)

Licensing Act (Hearings) Regulations 2005

Watford Borough Council Licensing Policy (November 2013 – November 2018)

Watford Borough Council Pool of Model Conditions (January 2018)

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Elaine Dunning

(Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number 11/00085/LAPRE
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Dunnings Free House 153 St Albans Road
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Post Town	Watford	Postcode	WD24 5BB
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Telephone number at premises	[REDACTED]
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Non-domestic rateable value of premises	£21,500.00
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Part 2 - Applicant Details

Daytime contact telephone number	
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E-mail address (optional)	
----------------------------------	--

Current postal address if different from premises address	[REDACTED]
--	------------

Post Town	[REDACTED]	Postcode	[REDACTED]
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Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? Yes No

If not do you want the variation to take effect from
Day Month Year

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (please read guidance note 1)

1. To remove from conditions 1, 2, 3, 4 and 5 from Annex 2 of the premises licence.
2. To add the provision of films
3. To extend on and off sales of alcohol until 01:30 on Friday and Saturday.
4. To extend the hours for the sale of alcohol any Thursday and Sunday immediately preceding a Bank holiday until 02:00.
5. To extend the hours of regulated entertainment (live and recorded) inside the premises until 01:30 on Friday and Saturday.
6. To extend the hours for regulated entertainment any Thursday and Sunday immediately preceding a Bank holiday until 02:00.
7. To include the outside rear garden in the remit of licensable areas.
8. To extend the Opening Hours until 02:00 Friday and Saturday
9. To extend the opening hours any Thursday and Sunday immediately preceding a Bank holiday until 02:30.
10. To extend the opening hours of the premises to open from 08:00 Monday to Sunday for non-licensable activities.
11. Addition of non-standard timings to licensable activities.
12. To amend existing condition 8 to read as follows:
'The use of the outside rear garden for consumption of alcohol shall cease at 00:00hrs Friday and Saturday, 23:00hrs on Sunday-Thursday.'
13. Add additional conditions under Annex 2 for the promotion of the licensing objectives.
14. Amend the licensing plan to reflect changes to the layout of the premises and outside area.

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful

Provision of regulated entertainment

Please tick yes

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

B

Films			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both	<input checked="" type="checkbox"/>	
Mon	11:00	00:00	Please give further details here (please read guidance note 5)		
Tue	11:00	00:00			
Wed	11:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur	11:00	00:00			
Fri	11:00	00:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7) Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:00 Christmas Eve 11:00 to 02:00 Boxing Day 11:00 to 02:00 New Year's Day 11:00 to 02:00 St Patrick's Day 11:00 to 02:00		
Sat	11:00	00:00			
Sun	11:00	00:00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	No change	No change	Please give further details here (please read guidance note 5)	Both	<input checked="" type="checkbox"/>
Tue	No change	No change			
Wed	No change	No change	State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	No change	No change			
Fri	No change	01:30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7) Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:00 Christmas Eve 11:00 to 02:00 Boxing Day 11:00 to 02:00 New Year's Day 11:00 to 02:00 St Patrick's Day 11:00 to 02:00		
Sat	No change	01:30			
Sun	No change	No change			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	No change	No change			
Tue	No change	No change	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed	No change	No change			
Thur	No change	No change	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7) Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:00 Christmas Eve 11:00 to 02:00 Boxing Day 11:00 to 02:00 New Year's Day 11:00 to 02:00 St Patrick's Day 11:00 to 02:00		
Fri	No change	01:30			
Sat	No change	01:30			
Sun	No change	No change			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue				Please give further details here (please read guidance note 5)	
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 5)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p>		
Sun					

I – NO CHANGE

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	No change	No change	<u>Please give further details here</u> (please read guidance note 5) No change		
Tue	No change	No change			
Wed	No change	No change	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6) No change		
Thur	No change	No change			
Fri	No change	No change	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) No change		
Sat	No change	No change			
Sun	No change	No change			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	No change	No change			
Tue	No change	No change			
Wed	No change	No change			
Thur	No change	No change			
Fri	No change	01:30			
Sat	No change	01:30			
Sun	No change	No change	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:00 Christmas Eve 11:00 to 02:00 Boxing Day 11:00 to 02:00 New Year's Day 11:00 to 02:00 St Patrick's Day 11:00 to 02:00		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08:00	No change	
Tue	08:00	No change	
Wed	08:00	No change	
Thur	08:00	No change	
Fri	08:00	02:00	
Sat	08:00	02:00	
Sun	08:00	No change	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:30 Christmas Eve 08:00 to 02:30 Boxing Day 08:00 to 02:30 New Year's Day 08:00 to 02:30 St Patrick's Day 08:00 to 02:30

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M- Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

[The blurb of information provided below (except for the conditions proposed) is solely for information only and not intended to be converted into conditions on the Premises Licence. Also, we want to note that this application is subject to amendments during the consultation period following agreement of conditions or provisions with responsible authorities/residents.]

Given the changes proposed, we have carefully considered the application, the effect on the licensing objectives and the council's licensing policy. The purpose for seeking later hours on Friday & Saturday only would allow the customers to continue their night in a safe and comfortable environment and give the premises slightly more flexibility around trading.

In the consideration of this variation, we have consulted with the responsible authorities and local residents to get their comments on the application prior to submission to ensure that the proposal we are putting forward is considerate to all, with all the licensing objectives being considered. We have agreed conditions with the police and EHO.

We are also seeking to remove condition 5 from the current premises licence in relation to broadcasting of entertainment as currently under the Licensing Act 2003, the showing of a live broadcast is non-licensable and therefore cannot be conditioned. Therefore, the conditioned placed on the licence is redundant.

The new non-standard timing for Thursdays and Sundays immediately preceding a bank holiday would allow the premises to remain open and to trade legally during this period.

When considering the alterations, we appreciate the current premises licence has limited conditions and therefore we will be implementing the below conditions to bring the licence up to date with modern practices, we have also added additional conditions to address issues raised in respect of public nuisance, disturbance and crime and disorder:

1. The premises shall install and maintain a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition. The system shall continually record whilst the premises is open for licensable activities and during all times when staff and 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 available to a Police officer or an authorised officer of the licensing authority upon request throughout the preceding 31 days period.
2. A staff member from the premises who is fully conversant with the operation of the CCTV system shall be able to show a Police officer or an authorised officer of the licensing authority data or footage upon request.

3. All faults with the CCTV system shall be repaired as soon as possible and in any case within three working days after which time, if the system is still inoperative no licensable activities shall take place without the agreement of the Police Licensing Unit or the licensing authority until the fault is rectified.
4. SIA licensed door supervisor (ratio 1:75) shall be on duty at the premises on Friday and Saturdays, Thursdays or Sundays preceding a Bank Holiday, and any Non-Standard Timings (Xmas Eve, Boxing Day, St Patricks Day, New Year's Eve, New Year's Day, etc) from 22:00 until close.
5. Appropriate signage notifying customers that the rear area is not to be used after 00:00, except for patrons going out to smoke, shall be displayed in prominent positions in the premises.
6. The premises must implement a 'Challenge 25' policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or PASS (Proof of Age Scheme) approved identification before being allowed to purchase alcohol.
7. Challenge 25 signage will be placed within the premises.
8. A sign will be located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to local neighbours.
9. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
10. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
11. The Licensee shall make arrangements to ensure so far as is reasonably practicable that no customers shall be permitted to remove from the Premises any open bottles, glasses or foodstuff for consumption or disposal outside the Premises.
12. A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times whilst the premises is open.
13. An incident log shall be kept at the premises for at least 12 months, and made available on request to a Police officer or an authorised officer of the licensing authority, which will record the following:
 - All crimes reported to or by the premises to the Police
 - All ejections of patrons
 - Any incidents of crime and disorder
 - Seizures of drugs, offensive weapons, fraudulent ID or other items
 - Any faults with the CCTV system
 - Any refusal of the sale of alcohol

14. Each staff member shall be trained in relation to licensing offences and how to prevent them, underage sales, monitoring patron's alcohol consumption, maintaining the incident log, the conditions of the premises licence, drug awareness, serving alcohol to persons who are drunk and the Challenge 25 policy. Such training shall be repeated at intervals not greater than 12 months, shall be documented and such documentation shall be produced to an officer of a responsible authority on request. Staff shall also be monitored to ensure that their training is put into practice.
15. The premises will have a suitable dispersal policy in place to help manage the effective dispersal of patrons. If any updates are made to the policy then the updated version will be served on the authorities.
16. The premises shall have an external management plan and shall operate under such plan. The plan shall be reviewed at least once per annum and will be available for inspection by responsible authorities. If any updates are made to the policy then an updated version will be served on the authorities.
17. Children under 18 must be accompanied by an adult over 18 years of age and are prohibited after 22:00hrs, unless attending a private function and supervised by a person over the age of 18 years.
18. Notices shall be prominently displayed indicating it is illegal to sell alcohol to a person under the age of 18 years.
19. Regulated entertainment in the outside areas shall cease at 23:00 hours.

b) The prevention of crime and disorder

See box A) above

c) Public safety

See box A) above

d) The prevention of public nuisance

See box A) above

e) The protection of children from harm


See box A) above

- Checklist:** **Please tick to indicate agreement**
- I have made or enclosed payment of the fee ; or
 - I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
 - I have sent copies of this application and the plan to responsible authorities and others where applicable
 - I understand that I must now advertise my application
 - I have enclosed the premises licence or relevant part of it or explanation
 - I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (See guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	31/05/2023
Capacity	Solicitors for and on behalf of the applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	

Capacity	
----------	--

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

[REDACTED]
 Flint Bishop LLP
 Pinnacle House
 2 Prospect Place
 Derby
 DE24 8HG

Telephone number (if any)	[REDACTED]
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)

[REDACTED]

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

Live music: no licence permission is required for:

- o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

Recorded Music: no licence permission is required for:

- o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
- o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
- o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

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



**WATFORD
BOROUGH
COUNCIL**

Town Hall, Watford, WD17 3EX
T 01923 226400 F 01923 278100
enquiries@watford.gov.uk
watford.gov.uk

**Licensing Act 2003
Schedule 12
Part A**

Regulation 33,34

Premises Licence

Premises Licence Number	22/01179/PRED
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
Dunnings Free House 153 St Albans Road Watford WD24 5BB	
Telephone number	01923 442500

Where the licence is time limited, the dates
From 3rd November 2022

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities	
Sale of Alcohol by Retail (for consumption both on & off the premises)	
Friday & Saturday	11:00 - 00:30
Sunday to Thursday	11:00 - 23:30
Boxing Day	11:00 - 00:30
New Year's Day	11:00 - 01:30
St Patrick's Day (17 March)	11:00 - 00:30
Performance of Live Music	
Friday to Sunday	11:00 - 00:00
Boxing Day	11:00 - 01:00
New Year's Day	11:00 - 02:00



St Patrick's Day (17 March)	11:00 - 01:00
Playing of Recorded Music	
Friday to Sunday	11:00 - 00:00
Boxing Day	11:00 - 01:00
New Year's Day	11:00 - 02:00
St Patrick's Day (17 March)	11:00 - 01:00
Provision of Late Night Refreshment	
Friday & Saturday	23:00 - 02:00
Sunday to Thursday	23:00 - 00:00
Boxing Day	23:00 - 01:00
New Year's Day	23:00 - 02:00
St Patrick's Day (17 March)	23:00 - 01:00

The opening hours of the premises

Friday & Saturday	11:00 - 01:00
Sunday to Thursday	11:00 - 00:00
Boxing Day	11:00 - 01:00
New Year's Day	11:00 - 02:00
St Patrick's Day (17 March)	11:00 - 01:00

Part 2

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



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

-

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



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



Annex 1 – Mandatory conditions

- 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.

- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- (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).

- The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

- 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.

- 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.
- 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.
 - Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph above shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 - (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. Alcohol shall not be sold or supplied except during the hours authorised for the carrying out of licensable activities, except:
 - (a) during the first twenty minutes after those hours, for the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - (b) for consumption on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - (c) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - (d) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - (e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - (f) the taking of alcohol from the premises by a person residing there;
 - (g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - (h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried out by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:
 - (a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
 - (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
 - (c) to a canteen or mess.
3. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applied:
 - (a) he is the child of the premises licence-holder;
 - (b) he resides in the premises but is not employed there;
 - (c) he is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no convenient means of access or egress;
 - (d) the bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of a licence is ancillary.
In this condition "bar" includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.
4. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
5. There shall be no loud speakers placed externally or located internally and directed outside for the purpose of broadcasting entertainment. All speakers must be positioned away from openings in the building.
6. All windows, the front lobbied doors and the rear doors shall be kept closed during karaoke/live music/ amplified music and on all other days after 23:20, with the exception of access and egress.
7. No glass waste including bottles shall be handled externally after 23:00 with the exception of collection of glasses and bottles from the rear garden.

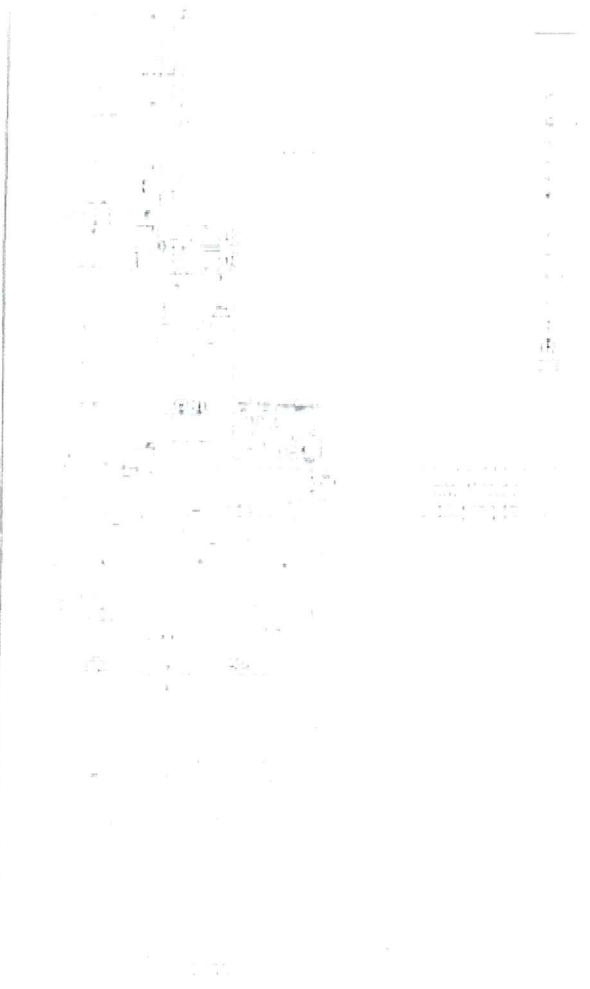
8. The use of the rear garden for consumption of alcohol shall cease at 23:20.
9. Patrons shall be encouraged to leave the premises with the minimum disturbance to local residents.
10. Children under 18 must be accompanied by an adult and must leave the premises by 21:00.

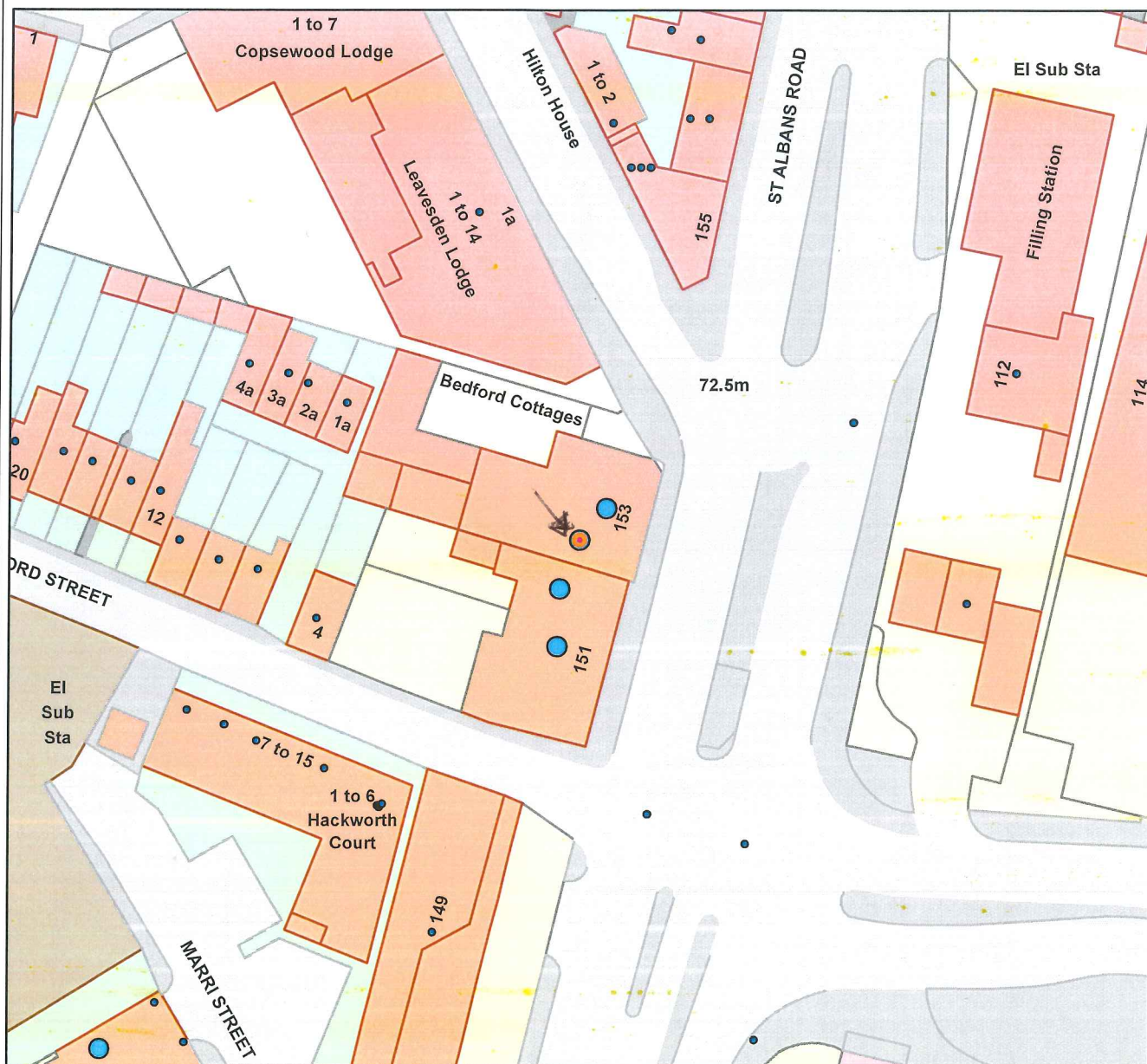
Annex 3 – Conditions attached after a hearing by the licensing authority

There was no hearing held for this licence

Annex 4 – Plans

3/2/21



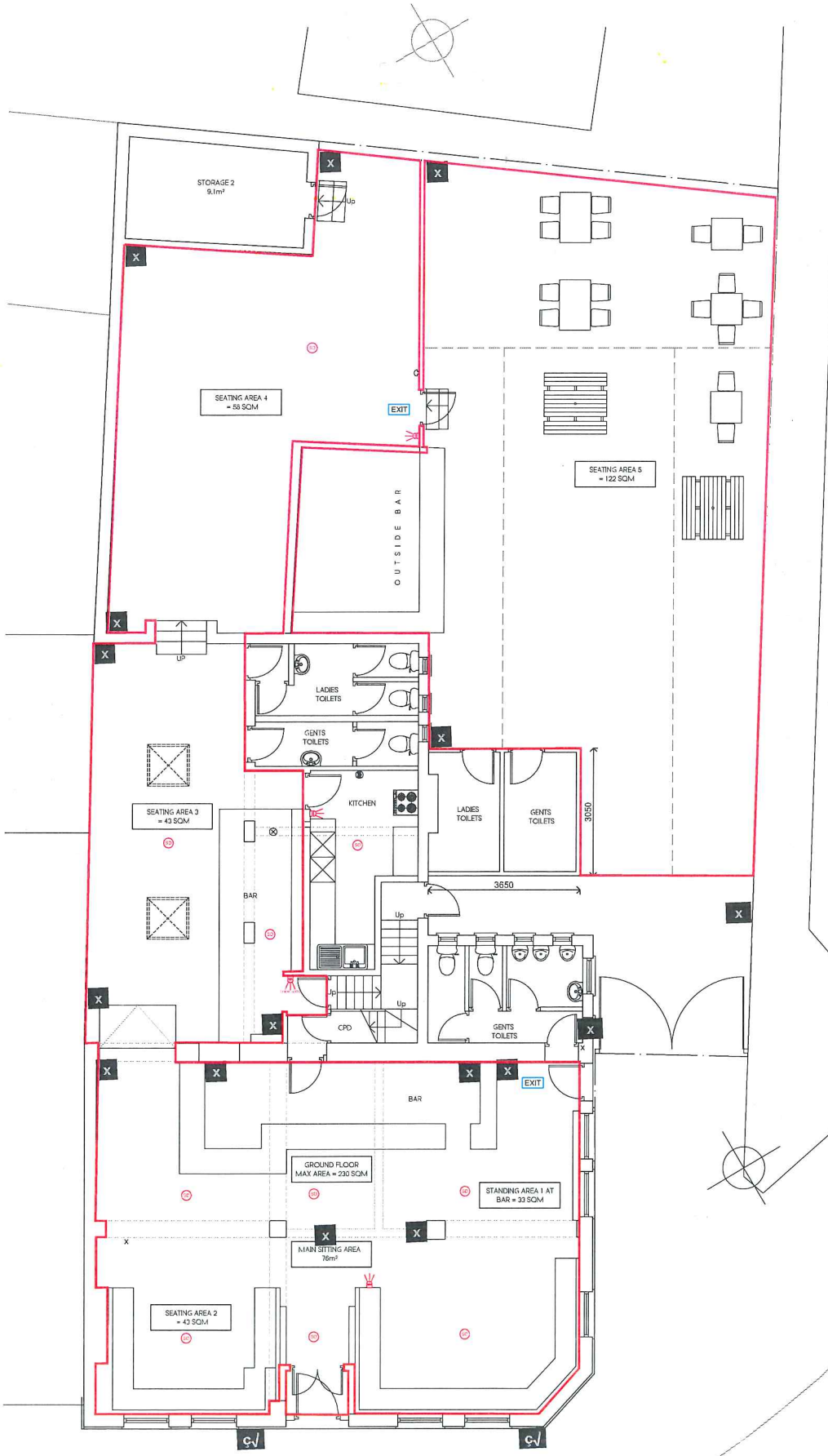
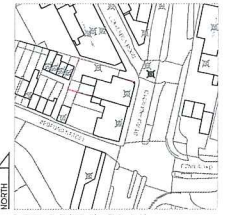


Scale: 1:625

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Organisation	Watford Borough Council
Department	Department
Comments	
Date	06/07/2023
MSA Number	PSMA No 100018689



PROPOSED GROUND FLOOR PLAN

- Area for licensable activities
- CALL POINT
- SMOKE DETECTOR
- EXIT EMERGENCY DIRECTION SIGN
- CO2 + FOAM EXTINGUISHER
- FIRE BLANKET
- WATER + FOAM EXTINGUISHER

FOR APPROVAL

C	25.04.22	AMENDED TO SUIT CLIENTS COMMENTS	KP
E	28.04.22	AMENDED TO SUIT CLIENTS COMMENTS	KP
X	28.04.22	AMENDMENTS TO SUIT CLIENTS COMMENTS	KP
Rev	Date	Description	By

Client:
MR DUNNING

Project Title:
PROPOSED ALTERATIONS

153 ST ALBANS ROAD, WATFORD, WD24 5BB

Code File	Sheet Size	Scale
P801	A1	1:50
Drawn by	Drawing Date	Approved by
DA	FEB 2022	NJ
Project No.	Drawing No.	Revision
1803	P800	C



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LICENSING ISSUE

On 14 Jun 2023 21:19,

> wrote:

5A

My name is xxxxx and I live at xx Bedford Street in north Watford. My house backs directly onto Dunnings' outdoor area and I'm writing to express my concerns about how their application to extend their opening hours will affect my family and nearby residents.

I do accept that choosing to live behind a pub comes with accepting a certain level of noise, however the noise coming from Dunnings is already quite overwhelming at times. On the weekends this is especially noticeable, although it does generally occur on weekdays too. As I am only several metres away over the back wall from Dunnings, I often cannot enjoy spending time in my garden due to noise, be it shouting or music. Their plans to show films in the garden are worrying as I believe this will further reduce the time I will be able to quietly enjoy my time in the garden.

There are often quite aggressive and shouty conversations/disagreements that happen in the outside areas which Dunnings seems unwilling to try and mitigate. This is particularly problematic on the weekends and I will actively avoid walking past Dunnings at night as I find it quite intimidating.

There is also a general level of antisocial behaviour around Dunnings. As I live down an alley behind the pub which is not well lit there is often drug dealing activity or general loitering late at night which makes me feel uneasy for obvious reasons. I believe that extending their opening hours to 2am will worsen the current antisocial behaviour in the vicinity.

Dunnings has a history of being unsympathetic to nearby residents and management have recently been unpleasant towards my neighbour at xx, when they realised that he had just moved in behind them they told him that if he were to contest the application he would not be welcome in the pub. In contrast, the Prince George next to Dunnings have always taken comments on board and have taken steps to improve.

I believe that the extension of the opening hours will have a negative impact on the wellbeing of myself and nearby residents and increase the likelihood of crime in the area.

I hope that you will be supportive of my intention to contest their amended opening hours.

Kind regards,

Sent: Wednesday, June 28, 2023 10:04 PM

To: Austen Young ; Parminder Seyan

Cc: Licensing (Watford)

Subject: Objection to Dunnings license application REF: 23/00611/PREV

Ward: Callowland

Reference: 23/00611/PREV

Address of Premises: Dunnings Free House, 152 St Albans Road Watford WD24 5BB

Dear Parminder / Austin

I hope all is well.

I am writing to place an objection on behalf of Callowland residents who have contacted me to express the following concerns in relation to permanent proposed changes to the license in the above application on the grounds of:

- The premises remaining open until unsociable hours
- Excessive noise from music (both live and recorded) continuing into the night.
- The added risk to incidents on the premises
- Potential nuisance and the effect it will have on the local community.

I would like to stress I am taking any bias out of this, and I am purely representing the views of residents I have encountered over the last month since this application was published. I myself have visited Dunnings on a number of occasions since moving to the area in April 2019 and have nothing but pleasant experiences on those occasions.

Residents have been contacting myself from most streets connected to Leavesden road on the lower parts with concerns over the excess noise from the extended hours will being, be this with live music or general noise from customers in the beer garden/smoking areas. Dunnings is a busy and vibrant pub which is always busy on a Friday and Saturday evening, on the regular occasions I walk back from Watford Junction station the noise from inside can be heard as soon as you cross the entrance to Bedford Street along the left side of St Albans road, this is from both music and customers, and this is the same for when you pass it and head up Leavesden Road until you pass the entrance to Copeswood Road. Residents which have properties that connect to the premises regularly complain they can hear the music late into the night, mainly when the doors are open between the main bar and the beer garden area. This is only natural for a premises frequented as often as Dunnings with a large Garden and smoking area and is not a criticism of their practice, however residents within this area will be at risk of further disruption on a regular basis should the license be extended to 1.30AM, and to 2/2.30AM on bank holidays. Furthermore, it would be anticipated that the noise from inside the building and in the beer garden/smoking area would be even louder not just when live music is played **inside** the premises, but on regular occasions too. Overspill from other local pubs will see Dunnings as still being open, with the White Lion, O'Neil's, Prince George and Cother arms pubs are all a short walk from Dunnings, and it would be logical to assume many customers may visit Dunnings once last call is ordered at any of these should their license be until midnight. It would be reasonable to predict these late arrivals may be intoxicated from other establishments and whilst still deemed in good enough condition to enter the premises will no doubt add to the regular levels of noise experienced within the pub.

In relation to this, the more people frequenting the pub, the more risk there would be for altercations/incidents on the premises. Although Dunnings is required to provide an SIA licensed door supervisor at a ratio of 1:75, a major concern from residents that have contacted me that frequent the pub

regularly is that the longer alcohol is served, the higher the risk for unsavoury incidents. Although common sense should be used at the discretion of the door supervisor, much like with the noise mentioned in the above point it would be logical to predict a risk of increased incidents like this which would be detrimental to the experience of customers but also pose a risk to health and safety. . Another concern is the issues of nuisance and anti-social behaviour on the premises. Although I am aware that a council cannot license on the behaviour of customers once they have left the premises, the issue I wish to raise related to conduct on the premises.

Several residents have been concerned with the content of conversations and chanting from customers, and fear that much like with the noise concerns, that the later hours will only amplify this, along with arguments in the smoking area spilling onto the pavement outside the entrance. Again, I would like to stress this has come from residents who frequent Dunnings on a regular/semi regular occasion.

Based on the above concerns & consequences which will affect the wellbeing and daily lives of residents as a direct impact of this license request being approved, I am submitting this formal objection. Should Dunnings suggest compromises on any terms of the request or add in provisions to curb the disturbance for Callowland residents, I of course would be more than happy to engage with them on this.

Best Regards,

Councillor Dennis Watling

From: xxxxxx

Sent: 24 June 2023 10:13

To: Parminder Seyan

Cc: Councillor Ian Stotesbury ; Councillor Dawn Allen-Williamson ; Councillor Dennis Watling

Subject: Objection to Dunnings Application to Vary Premises Licence - UPDATED

Dear Ms Seyan,

Ward: Callowland

Reference: 23/00611/PREV

Address of Premises: Dunnings Free House, 152 St Albans Road Watford WD24 5BB

I write on my own behalf, as well as xxxxxxxx and xxxxxxxx (xx Bedford St), xxxxxx (xx Bedford St), xxxxxx and xxxxxx (x Bedford Street) and xxxxxxxx (xx Bedford Street). I am also aware that the resident of xx Bedford St is submitting his own objection.

We wish to object to the application to vary the existing premises licence for the premises and address above. This objection is for any applications to vary the licence - be they of a permanent or one-off, temporary 'occasional' nature.

The objection is based on the application reflecting a fundamental change in precedent, relating to the change of trading hours in a highly residential area. Additionally, the application to play live or recorded music outside, show films and extend the opening hours (all variations of these as outlined in the application) represents a new and different level of noise concern.

As a neighbour whose home is directly attached to the rear wall of the outdoor bar and seating area and adjacent to the venue, I am already affected by the noise created by both the venue and its patrons. My fellow neighbours are similarly affected and to extend the hours and allow for the additional variations to the premises licence will only compound this, leading to further noise concerns outside of current licensing hours.

These current noise and disturbances take the form of recorded and live music from inside and outside the venue, loud singing (both professional and by patrons), outdoor TV screens playing sports plus drunken disturbance and associated anti-social behaviour (shouting, vomit, broken glass etc). These disturbances are frequently past 01:00hrs and it can only be assumed would extend later if the licenses' applied for were to be granted. The proposed amendments would detract from my quality of life, ability to enjoy my own garden and would undermine mine and my neighbours reasonable right to enjoy our homes and properties. I have already been woken by music coming from the venue and have had to call the licensee to complain on multiple occasions. I am also aware of the police having been called to deal with disturbances on more than one occasion.

These disturbances are year-round, due to the venues large, covered outdoor seating area. To allow the garden to become a point of sale and allow additional music (live and/or pre-recorded) will increase this direct impact and is wholly objected to. The current noise levels frequently leave me unable to enjoy my garden or to have my patio doors open.

Providing further late-night source of alcohol could also increase problems associated with drunken disturbances and aggressive behaviour. There is a concern that even later opening hours will undermine the licensing objectives for public safety, public nuisance and could lead to an increase in crime and disorder. Littering is also likely to increase. I frequently find empty pub glasses outside my front door.

Living in close proximity to a pub one accepts a degree of noise. However, the licensed properties must accept they are within a highly residential area (that is already subjected to constant noise from the '8 Gardens' development).

Finally, the venue in application is next door to a similar business - to set a precedent of licensing hours for alcohol and music would be totally unacceptable.

The applied for changes are an extension beyond that which is reasonable and we ask that you refuse this application.

I have copied the Councillors for my ward for their information and record.

Yours faithfully,

xxxxx

xx Bedford Street

Watford

From: xxxxx

Sent: 23 June 2023 10:09

To: Parminder Seyan

Cc: Councillor Ian Stotesbury ; Councillor Dawn Allen-Williamson ; Councillor Dennis Watling

Subject: Objection to Dunnings Application to Vary Premises Licence

Dear Mr Seyan,

Ward: Callowland

Reference: 23/00611/PREV

Address of Premises: Dunnings Free House, 152 St Albans Road Watford WD24 5BB

I wish to object to the application to vary the existing premises licence for the premises and address above. My objection is based on the application reflecting a fundamental change in precedent, relating to the change of trading hours in a highly residential area.

Additionally, the application to play live or recorded music outside, show films and extend the opening hours (all variations of these as outlined in the application) represents a new and different level of noise concern.

As a neighbour whose home is directly attached to the rear wall of the outdoor bar and seating area

and adjacent to the venue, I am already affected by the noise created by both the venue and its patrons. To extend the hours and allow for the additional variations to the premises licence will only compound this, leading to further noise concerns outside of current licensing hours.

These current noise and disturbances take the form of recorded and live music from inside and outside the venue, loud singing (both professional and by patrons), outdoor TV screens playing sports plus drunken disturbance and associated anti-social behaviour (shouting, vomit, broken glass etc).

These disturbances are frequently past 01:00hrs and it can only be assumed would extend later if the licenses' applied for were to be granted. The proposed amendments would detract from my quality of life, ability to enjoy my own garden and would undermine mine and my neighbours reasonable right to enjoy our homes and properties. I have already been woken by music coming from the venue and have had to call the licensee to complain on multiple occasions. I am also aware of the police having been called to deal with disturbances on more than one occasion.

These disturbances are year-round, due to the venues large, covered outdoor seating area. To allow the garden to become a point of sale and allow additional music (live and/or pre-recorded) will increase this direct impact and is wholly objected to. The current noise levels frequently leave me unable to enjoy my garden or to have my patio doors open.

Providing further late-night source of alcohol could also increase problems associated with drunken disturbances and aggressive behaviour. There is a concern that even later opening hours will undermine the licensing objectives for public safety, public nuisance and could lead to an increase crime and disorder. Littering is also likely to increase. I frequently find empty pub glasses outside my front door.

Living in close proximity to a pub one accepts a degree of noise. However, the licensed properties must accept they are within a highly residential area (that is already subjected to constant noise from the '8 Gardens' development).

Finally, the venue in application is next door to a similar business - to set a precedent of licensing hours for alcohol and music would be totally unacceptable.

The applied for changes are an extension beyond that which is reasonable and I ask that you refuse this application.

I have copied the Councillors for my ward for their information and record.

Yours faithfully,

Xxx xxxxxxx

xx Bedford Street

Watford xxxxxx

From: XXXXXX< >
Sent: Wednesday, June 28, 2023 2:24 PM
To: Licensing (Watford) <licensing@watford.gov.uk>
Subject: Dunnings Free House - Objection to Variation of License Application - Ref: 23/00611/PREV

Dear Sirs,

I am the owner and resident of XX Bedford Cottages and wish to contest the Variation in licence terms recently put forward by Dunnings Free House.

To confirm, my property adjoins the rear garden of Dunnings and feel that the quality of life of both myself and my partner would be negatively impacted by all of the proposals put forward by Dunnings. My partner and I are planning to try for our first child later in the year and I am concerned about the stress that the proposed variations will place on her and their potential impact as she has been worried about these plans since learning of the application via the letter from the solicitor appointed by Dunnings.

I am of course accepting of some noise living next to a pub but the noise nuisance that comes from Dunnings Bar is already at excessive levels most nights of the week that often goes on beyond their current licence hours, which is affecting both mine and my partners ability to sleep with windows open. We are also affected by the noise coming from the pub garden during the daytime at the weekends, extending these hours would further inhibit the ability to enjoy our garden or leave windows open when in the house during the weekends.

There is also a noise nuisance throughout the weekdays from the Eight Gardens development project that is taking place on St Albans Road, so residents are faced with the prospect of a constant noise nuisance as a result of the proposed variation plans.

My objection to these plans are that they reflect a fundamental change in precedent, relating to the change of trading hours within a highly residential area that will have negative impacts on the quality of life of local residents.

The plans to play film, live or recorded music outside and extend opening hours both inside and outside will create a noise concern/nuisance for residents, particularly for myself and my partner who are closest to Dunnings premises.

I am concerned that these plans also create a safety issue through people leaving Dunnings at such a late time, who will then spill out on to one of the busiest roads in Watford. I have been made aware that Dunnings customers have in the past kicked over bins of local residents and vomited in the road after the pub has closed and fear this may become more frequent as a result of these variation terms. For the record, I visited Dunnings on the 28th of May and was introduced as the new owner of 1a Bedford Cottages by a friend of mine to a senior member of staff at Dunnings, this member of staff, rather than introduce herself, then immediately responded to say that I would no longer be able to visit the pub if I object to the plans put forward.

I believe the variations that have been requested are beyond what is reasonable, offer no benefit to the local community and therefore kindly ask that you refuse this application.

I trust all is in order but do let me know if you require anything further here.

Thanks,

Mr XXXXX & Miss XXXX
XXXX Bedford Cottages
XXXXX

Account Manager – Adviser

If you would like to book a 30 minute meeting with me - Calendly
XXXXXX
E: XXXXXX T: XXXXXXXXXX M: XXXXXXXX

From: xxxxxxxx

Sent: Wednesday, June 28, 2023 2:09 PM

To: Austen Young

Subject: Re: Objection to Dunnings Application to Vary Premises Licence - UPDATED

Hello Austen.

This is xxxxxx and my husband xxxxxx xxxxxx . I'd like to confirm that the objections raised by Liz on our behalf are shared by us as residents of number 8x Bedford street. There isn't much more I can say that Liz hasn't already raised. But for us in particular, we feel that extending the license will only exacerbate many of the problems mentioned. Especially when all residents of the street are already dealing with noise pollution from Dunnings. As well as the fallout of the new flats that have been built (a discussion for another time)

Thanks

Xxxxxx and xxxxx

From: Heybaby Watford>
Sent: Wednesday, June 28, 2023 1:57 PM
To: Austen Young
Subject: RE: Dunning's Free House REF: 23/00611/PREV

Dear Austen,

Thank you for your prompt reply.

I would like to oppose the application for extension of hours due to the following reasons:

1. Crime and disorder

a. There has been anti-social behaviour during our working hours on weekends after excessive consumption of alcohol including urination, defecation and vomiting in front of an on our doorsteps after exiting Dunning's pub. Extending the hours of operations will mean the problem will get significantly worse than it already is.

2. Prevention of public nuisance

a. There has been excessive noise made by individuals after leaving Dunning's pub. Extending the hours of operations will mean the problem will get significantly worse than it already is.

b. There also been individuals coming out of the pub that sit on our windowsill or in front of our doorstep where our customers need to pass to get into our building. Extending the hours of operations will mean the problem will get significantly worse than it already is.

c. People coming out of the pub often sit in doorways along the street and vomit there. We have to clean this at our expense and risk. Extending the hours of operations will mean the problem will get significantly worse than it already is.

d. There is frequent littering along our street and bottles of alcohol on the street or our windowsill, as well as halfeaten food littered on the street. We have to clean and dispose of these at our cost and risk. Extending the hours of operations will mean the problem will get significantly worse than it already is.

e. People from the pub frequently ring doorbells along the street to cause nuisance. . Extending the hours of operations will mean the problem will get significantly worse than it already is.

It is due to the aforementioned reasons that we would like to oppose this application.

If this cannot be prevented, it should be the pub's responsibility to clean all nearby streets every morning, and not just the street directly outside their pub. It should not be the responsibility of residents living in the area to clean up after the pub's customers. I would like to see more social responsibility from the council to improve living standards of the community, by imposing strict conditions on businesses that are responsible for creating these problems in the first place.

Kind regards,

Heybaby Watford Team

Ultrasound Image Studio Ltd.

t:01923 943501

e: watford@heybaby4d.co.uk

w: www.watford.heybaby4d.co.uk

Unit 4 leavesden Lodge, 1 A leavesden Road.

Watford, Herts. WD24 5EB

Ultrasound Image Studio Ltd.

is registered in England. Company #11737449

VAT Registration No. 323979766

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From: xxxxx

Sent: Wednesday, June 28, 2023 3:40 PM

To: Licensing (Watford) >

Subject: Dunnings Pub positive representation.

To whom it may concern.

My name is xxxxxx and I live at xxxx Bedford Cottages, WD245DU.

Just to the rear of Dunnings Pub.

I wish to make it known that I have no issues with the proposed extensions to Dunnings operating hours.

From my house I can never hear live music playing from within the venue and noise from the rear garden is minimal and have never found it to be a disturbance.

I have never found there to be a noticeable disturbance at closing times or any other times of the day from the pub.

If you have any questions feel free to email me back or call me on XXXXXXXXXXXX.

Regards

xxxxxxx

External Management Plan

The venue is committed to develop and maintain good relations with local residents, neighbours and local authority. The objective of this policy is to minimise disturbance or nuisance caused to local residents and to ensure that any licensing objectives or other controls at the premises are being upheld. This policy sets out the measures which have been considered and will be adopted.

The staff will operate the following procedures and systems, as required, to ensure that the premises are operating in a responsible manner with regards to the management of the external area, particularly later in the evening:

Premises Operation:

- Notices shall be prominently displayed at all public exits requesting customers to respect the needs of local residents and to leave the premises and area quietly.
- All members of staff involved in the provisions of licensable activities will be aware of the conditions on the premises licence, particularly those relating to the use of the external area.
- A strong management and staff presence in the customer area during closing time period to ensure all customers leave quietly and in an orderly manner.
- Staff will regularly monitor the outside area to ensure that patrons are not causing a disturbance or nuisance.
- The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the outside of the premises.
- The outside drinking areas will cease at midnight, except for customer using the area to smoke.
- The capacity for the outside area will be monitored by staff during their regular checks.
- Customers shall not be allowed to congregate outside the front of the premises.
- There shall be no regulated entertainment in the outside area from 23:00 hours.
- There shall be door supervisors on duty on Friday and Saturdays, plus on any non-standard timing days. They will help monitor any outdoor area and control noise.

Staff will:

- Draw attention to exiting customers to the notices and asking them to be considerate to neighbours.
- Ensure the removal of glass/bottles from any customers who attempt to leave the premises carrying such items.
- Actively encourage customers not to assemble outside the front of the premises.
- Display telephone numbers for taxis in the premises and be aware of them. Customers will be encouraged to wait inside the premises for taxis and staff to be aware that large groups of customers lingering outside can be noisy and cause disruption to local residents.
- The external areas will be cleared of customers in accordance with the conditions of the premises licence.
- Ensure that customers do not cause any disturbance or nuisance to any local residents within the vicinity of the premises.
- To prioritise and assist wherever possible in ensuring that customers leave as safely, quietly and in an orderly manner as possible.
- Monitor customers and eject anyone who is obviously intoxicated and no longer able to exert reasonable control over their behaviour, staff will ensure that help is given to the intoxicated individual where possible.

Please sign this document to acknowledge that you have understood this policy and what you are required to do.

Date Read & Understood	Staff Member	Signature	Managers Signature



Dispersal at the end of the night Best Practice Guide

Policy last reviewed	April 2023
Approved by	Elaine Dunning
If you have any questions about this Code of Practice, please contact:	Elaine Dunning

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1 Introduction

- A poorly managed pub can be a potential source of nuisance, antisocial behaviour and crime which may create concern for the immediate neighbourhood, its residents and the authorities.
- As the premises licence holder, we place great importance on ensuring that the premises does not have a negative impact. We accept that our responsibilities do not end at our front door and that, by operating a well-managed pub throughout the time for which we trade, we can help to deliver a quieter, safer environment in the immediate vicinity of our premises.
- We implement a dispersal policy through which we manage customers leaving the premises.
- The policy allows us to reduce any pressure on the authorities at the end of trading, ease customers' passage home and minimise the likelihood of local residents being disturbed. There is a natural and gradual dispersal throughout the evening.

2 The key factors of the dispersal policy are:

- Where music is played, music levels are reduced towards the end of the drinking up period at the end of the evening to assist in the quiet and orderly dispersal of customers. Our experience is that customers tend to leave more quietly because, immediately before leaving the premises, they have not been having to raise their voice against a background of loud music.
- Wherever possible, lighting levels become 'brighter' at the end of trading hours to encourage the gradual dispersal of patrons during the last part of trading and the drinking-up period.
- There needs to be no ambiguity of the fact the pub is closing. Even a simple procedure of tea towels over the pumps, shows the public the site is closing, and no more drinks can be purchased. Last ordered needs to be communicated very clearly.
- On dispersal, staff encourage customers actively not to congregate outside the venue, directing customers to the nearest taxi ranks or other transportation away from the area and ensuring the removal of all bottles and glasses from departing customers.
- Managers / door staff can speak to any groups which congregate after closing time in the vicinity of the premises, asking them to move on.
- A minimum of 30 minutes' drinking-up time at the end of the evening is incorporated in the premises licence as an aid to the gradual dispersal of all customers from the premises.
- There is a strong management and staff presence in the customer area and at all exit points during the dispersal period.
- Signage is routinely placed at exits, asking customers to respect the rights of our neighbours to the quiet enjoyment of their homes.
- Where deemed appropriate, we can provide customers with site-specific information about getting home safely. Where customers require individual assistance in obtaining safe transport from our premises, we do whatever is reasonably possible to help, eg providing details of bus routes or contacting taxi/private hire operators on their behalf.

3 Escalation process

- Any incidents must be logged within our incident log, which is available for inspection by responsible authorities on request.
- Any incidents to be logged within 24 hours of the incident. This will help with due diligence and any licencing reviews and allows any incident to be fully investigated.
- If the incident does escalate and it is not reasonably possible for the premises staff to manage, then the police will be contacted.

4 CCTV – Closed Circuit Television

- Where there is CCTV, it must be fully maintained and fully operational as per the premises licence conditions.
- There must be at least one member of staff on site who knows how to operate the system and fully understands the conditions placed on the premises licence in relation to the CCTV.
- This person will be able to secure and preserve the recording before the 31-day deletion period has expired if asked to do so by either the Police or a responsible authority or another Senior Member of Staff (such as Premises Licence Holder/General Manager).

5 Support

Periodic training and reminders will be provided to staff where possible being in conjunction with local responsible authorities and such will be subject of an audit trail.

Premises Licence Holder	Signature	Date
Designated Premises Supervisor	Signature	Date

6 Additional Staff Members I have read and understand the requirements of this Best Practice Guide

Name	Signature	Date



**Licensing Act 2003
Schedule 12
Part A**

APPENDIX 9

Regulation 33,34

DRAFT Premises Licence

Premises Licence Number	23/00611/PREV
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
Dunnings Free House 153 St Albans Road Watford WD24 5BB	
Telephone number	01923 442500

Where the licence is time limited, the dates
From 22 July 2023

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities	
Sale of Alcohol by Retail (for consumption both on & off the premises)	
Friday & Saturday	11:00 - 01:30
Sunday to Thursday	11:00 - 23:30
Boxing Day	11:00 - 02:00
New Year's Day	11:00 - 02:00
St Patrick's Day (17 March)	11:00 - 02:00
Christmas Eve	11:00 - 02:00
Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:00	
Exhibition of Films	
Monday to Sunday	11:00 - 00:00



Boxing Day	11:00 - 02:00
New Year's Day	11:00 - 02:00
St Patrick's Day (17 March)	11:00 - 02:00
Christmas Eve	11:00 - 02:00

Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:00

Performance of Live Music

Friday & Saturday	11:00 - 01:30
Sunday to Thursday	11:00 - 00:00
Boxing Day	11:00 - 02:00
New Year's Day	11:00 - 02:00
St Patrick's Day (17 March)	11:00 - 02:00
Christmas Eve	11:00 - 02:00

Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:00

Playing of Recorded Music

Friday & Saturday	11:00 - 01:30
Sunday	11:00 - 00:00
Boxing Day	11:00 - 02:00
New Year's Day	11:00 - 02:00
St Patrick's Day (17 March)	11:00 - 02:00
Christmas Eve	11:00 - 02:00

Any Thursday and Sunday immediately preceding a Bank holiday to be permitted until 02:00

Provision of Late Night Refreshment

Friday & Saturday	23:00 - 02:00
Sunday to Thursday	23:00 - 00:00
Boxing Day	23:00 - 01:00
New Year's Day	23:00 - 02:00
St Patrick's Day (17 March)	23:00 - 01:00

The opening hours of the premises

Friday & Saturday	08:00 - 02:00
Sunday to Thursday	08:00 - 00:00
Boxing Day	08:00 - 02:30
New Year's Day	08:00 - 02:30
St Patrick's Day (17 March)	08:00 - 02:30
Christmas Eve	08:00 - 02:30

Part 2

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

Elaine Dunning
Redacted for the purpose of this report

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

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

Redacted for the purpose of this report

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

Personal licence number: 153496
Licensing Authority: London Borough Of Brent

Annex 1 – Mandatory conditions

- The admission of children under 18 to any film exhibition must be restricted in accordance with any recommendation made by the film classification body specified in section 4, Video Recordings Act 1984 unless the licensing authority notifies the holder of the premises licence that recommendations made by the licensing authority must be followed instead.
- 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.
- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (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).
- The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 - 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.
- 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.
- 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.
 - Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph above shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 - (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

The following conditions are from the existing premises licence

1. All windows, the front lobbied doors and the rear doors shall be kept closed during karaoke/live music/ amplified music and on all other days after 23:20, with the exception of access and egress.
2. No glass waste including bottles shall be handled externally after 23:00 with the exception of collection of glasses and bottles from the rear garden.
3. Patrons shall be encouraged to leave the premises with the minimum disturbance to local residents.
4. Children under 18 must be accompanied by an adult and must leave the premises by 21:00.

The following conditions were agreed between the applicant and the responsible authorities to form part of the operating schedule:

5. The premises shall install and maintain a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition. The system shall continually record whilst the premises is open for licensable activities and during all times when staff and 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 available to a Police officer or an authorised officer of the licensing authority upon request throughout the preceding 31 days period.
6. A staff member from the premises who is fully conversant with the operation of the CCTV system shall be able to show a Police officer or an authorised officer of the licensing authority data or footage upon request.
7. All faults with the CCTV system shall be repaired as soon as possible and in any case within three working days after which time, if the system is still inoperative no licensable activities shall take place without the agreement of the Police Licensing Unit or the licensing authority until the fault is rectified.
8. SIA licensed door supervisor (ratio 1:75) shall be on duty at the premises on Friday and Saturdays, Thursdays or Sundays preceding a Bank Holiday, and any Non-Standard Timings (Xmas Eve, Boxing Day, St Patricks Day, New Year's Eve, New Year's Day, etc) from 22:00 until close.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
10. Notices shall be prominently displayed at any area used for smoking requesting patrons to use the area quietly.
11. An incident log shall be kept at the premises for at least 12 months, and made available on request to a Police officer or an authorised officer of the licensing authority, which will record the following:
 - (a) All crimes reported to or by the premises to the Police
 - (b) All ejections of patrons
 - (c) Any incidents of crime and disorder
 - (d) Seizures of drugs, offensive weapons, fraudulent ID or other items
 - (e) Any faults with the CCTV system
 - (f) Any refusal of the sale of alcohol
12. The premises must implement a 'Challenge 25' policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or PASS (Proof of Age Scheme) approved identification before being allowed to purchase alcohol.

13. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, monitor patron's alcohol consumption, to maintain the incident book, and monitor staff to ensure their training is put into practice.
 14. Children under 18 must be accompanied by an adult over 18 years of age and are prohibited after 22:00hrs, unless attending a private function and supervised by a person over the age of 18 years.
 15. The DPS or Premises Licence Holder shall make arrangements to ensure so far as is reasonably practicable that no customers shall be permitted to remove from the premises any open bottles, glasses or foodstuff for consumption or disposal outside the premises.
 16. Notices shall be prominently displayed indicating it is illegal to sell alcohol to a person under the age of 18 years.
 17. The premises shall have a Dispersal Policy in place to help manage the effective dispersal of patrons.
 18. A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Licensing Authority at all times whilst the premises is open.
 19. Appropriate signage shall be displayed in prominent positions in the premises notifying customers that the rear area is not to be used after 00:00hrs except for patrons going out to smoke.
 20. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
 21. Regulated Entertainment in the outside areas shall cease at 2300.
- The following condition is from the variation application operating schedule proposed by the applicant***
22. The premises shall have an external management plan and shall operate under such plan. The plan shall be reviewed at least once per annum and will be available for inspection by responsible authorities. If any updates are made to the policy then an updated version will be served on the authorities.
 23. The use of the outside rear garden for consumption of alcohol shall cease at 00:00 hours Friday and Saturday, 23:00 hours on Sunday - Thursday.

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

