



**WATFORD
BOROUGH
COUNCIL**

LICENSING SUB COMMITTEE

27 November 2023

10.30 am

Annexe, Town Hall, Watford

Please note the start time of this meeting

Contact

Barry Rennick
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01923 278373

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

Publication date: 17 November 2023

Committee Membership

Councillors R Wenham, G Saffery and C Saunders

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

Agenda

Part A – Open to the Public

- 1. Committee membership/ election of a Chair**
- 2. Disclosure of interests (if any)**
- 3. Application for a new Premises Licence - Tim Hortons, North Western Avenue, Watford WD25 9JS (Pages 3 - 45)**

PART A

Report to: Licensing Sub Committee
Date of meeting: Monday, 27 November 2023
Report of: Senior Licensing Officer
Title: Application for a new Premises Licence - Tim Hortons, North Western Avenue, Watford WD25 9JS

1.0 Summary

1.1 An application has been made by TH UK & Ireland Ltd for a new premises licence for the premises at 6B North Western Avenue, Watford WD25 9JS.

1.2 During the consultation period representations against this application were received from a neighbouring business and a local resident.

1.3 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
- the prevention of public nuisance
- public safety
- the protection of children from harm

2.0 Risks

2.1

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 objector	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 before the	Treat	2

	not justified or legal	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: Austen Young telephone: 01923 278474 email: austen.young@watford.gov.uk

Report approved by: Justine.hoy@watford.gov.uk, Associate Director, Housing and Wellbeing

4.0 Application

4.1 Type of application

- 4.2 Application for a new premises licence. The original application is attached at appendix 1.
- 4.3 It should be noted that the application has been amended since it was originally submitted. These changes will be detailed later in the report.
- 4.4 **Description of premises**
- 4.5 The premises is situated just off North Western Avenue, near to the Dome Roundabout. The premises does not currently benefit from an existing licence.
- 4.6 Under Policy LP1 the premises is defined as a late night take-away.
- 4.7 Under Policy LP2 the premises is defined as falling within a residential area. Within the immediate vicinity of the application premises is a mix of commercial, healthcare services and residential properties.
- 4.8 A map of the location of the premises is attached at appendix 2A. This shows the location of the application premises.
- 4.9 A further plan is attached at appendix 2B, showing the location of the drive-through service window.
- 4.10 **Licensable activities**
- 4.11 This application is requesting permission to provide the following licensable activities

Licensable activity	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	

- 4.12 Although the original application did request the performance of recorded music, this element of the application was subsequently withdrawn. The current application is only seeking the provision of late night refreshment.
- 4.13 **Licensable hours**

4.14 The hours proposed in this application are detailed in the following table:

	Provision of late night refreshment	Opening hours
Monday	23:00 - 05:00	06:00 - 00:00
Tuesday	23:00 - 05:00	06:00 - 00:00
Wednesday	23:00 - 05:00	06:00 - 00:00
Thursday	23:00 - 05:00	06:00 - 00:00
Friday	23:00 - 05:00	06:00 - 00:00
Saturday	23:00 - 05:00	06:00 - 00:00
Sunday	23:00 - 05:00	06:00 - 00:00

4.15 For clarity, the premises does operate as a drive-through and the drive-through collection window will remain open for service between the hours of 00:00 and 06:00. The opening hours only relate to when the premises would be physically open to customers and they would be allowed to be present on the premises. The drive-through window may be used outside of the opening hours when customers are not inside the building.

4.16 The application does not request permission for any non-standard timings or seasonal variations to the proposed trading hours above.

5.0 **Background information**

5.1 The following background information is known about the premises.

5.2 **Current licences held**

5.3 The premises is not currently licensed.

5.4 **Closing date for representations**

5.5 30 October 2023

5.6 **Public notice published in newspaper**

5.7 6 October 2023

5.8 **Visits and Enforcement action**

5.9 The committee have requested that we note the history of visits and enforcement actions. It is noted that the premises is not currently licensed.

5.10 In September 2023 it was reported to officers that the premises were advertising that they were trading beyond 11pm without holding a premises licence authorising the supply of late night refreshment. The outcome of this complaint was the submission of this premises licence application. No further complaints have been logged against the premises.

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 is included within the application form attached at appendix 1, although officers would point out that during the consultation the application was amended.

7.0 **Representations**

7.1 **Responsible authorities**

7.2 Representations were received from the Police acting as a responsible authority but the application was amended and conditions were agreed between the applicant and the Police which resulted in the Police withdrawing their representations.

7.3 No other responsible authority submitted representations against this application or agreed any additional measures with the applicant during the application process.

7.4 **Other relevant bodies**

7.5 Representations have been received from the persons listed below, and the relevant appendix number is listed against each objector.

Appendix	Name	Address	Representative Body (Yes/No)	Relevance to which licensing objective(s)
3	Garston Medical Centre	6A North Western Avenue	No	Crime and disorder, public nuisance
4	Laura Campbell-Hugh	St Albans Road	No	Public nuisance

7.6 In accordance with our policy, officers can advise that two representations were rejected during the consultation period. One representation was rejected because it related to the playing of recorded music, and while this did form part of the original application, recorded music had been withdrawn by the time that this representation had been received. The other representation was rejected because concerns were raised over the sale of alcohol, which was never part of this licence application. Both parties were advised why their comments were rejected and were

given the opportunity to submit any further comments or concerns before the consultation period closed.

7.7 Comments have been made in the representations which relate to the existing operation of the premises, particularly day-time use with regards to parking and the behaviour of staff. Although not relevant to licensable activities, these comments were passed to the applicant to raise with the premises and local regional manager in order to facilitate good neighbourly relationships.

8.0 **Policy considerations**

8.1 **Licensing Act 2003**

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

- Sections 17 and 18 (Application for premises licence)
Section 17 details the process which the applicant must have followed for the application to be considered valid. Section 18 describes the process by which an application for a premises licence is determined, including where relevant representations have been made as in this case.
- The Licensing Act 2003 (Hearings) Regulations 2005 (as amended)
These regulations detail how hearings should be conducted to determine applications submitted under the Licensing Act

8.3 **Statutory guidance**

8.4 The following provisions of the Secretary of State's guidance (August 2023) apply to, and are relevant to, this application:

- Paragraphs 2.24 & 2.25
Paragraph 2.24 states that where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods.

Paragraph 2.25 states that measures to control light pollution will require careful thought. This is because bright lighting outside of a premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for neighbours. It is acknowledged that applicants and licensing authorities will need to balance these issues.
- Paragraph 2.26
This paragraph explains that beyond the immediate area surrounding a premises, individual who engage in anti-social behaviour are responsible for their own actions and should be held accountable accordingly. This

paragraph does state that it would be reasonable for a licensing authority to impose conditions regarding signage to be placed at exits or smoking areas to encourage patrons to be quiet and respect the rights of people living nearby to a peaceful night.

- 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 to the promotion of the licensing objectives, as well as how appropriate weight must be attributed to the steps to promote the licensing objectives, the representations presented by all parties, the statutory guidance, and the licensing authority's statement of licensing policy.
- Paragraphs 9.42 – 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.
- 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.
- Paragraph 14.19
This paragraph explains that the 'need' for a premises is not a matter for the licensing authority, and instead it is expected that the commercial demand for licensed premises should be a matter for the local planning authority and the for the market.

8.5 **Statement of licensing policy**

8.6 The following paragraphs of the licensing authority's statement of licensing policy (April 2021 - November 2023) apply to this application being the relevant policy for the application date:

- Policy LP1 – Premises definitions
Under this policy, officers would define this premises as a late night take-away. The only licensable activity requested is the provision of late night refreshment, and following the amendments to the application the majority of hours requested for the provision of late night refreshment are for consumption away from the premises, with customers being served through the drive-through service window.
- Policy LP2 – Location and operation of premises
This policy sets out the approach to licensing premises when relevant representations are received, notwithstanding that each application is considered on its own merits. As described in paragraph 4.7 of this report officers would describe this premises as falling within a residential area. This policy states that take-aways in residential areas 'will generally be allowed late-night refreshment sales to midnight only (other than for special occasions)'. The hours requested in this application do extend beyond midnight and it is for the Sub-Committee to determine whether to apply this policy or not.
- 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 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. It should be noted that this policy states that measures to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises will be of greater importance between 10pm and 7am. This does cover the whole period of time during which late night refreshment may be provided.
- 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, including rejecting invalid representations and reporting on them to a Sub-Committee.

8.7 Officer also wish to clarify that within the Borough of Watford there are no designated locations where premises offering late night refreshment are exempt from the requirement to hold a premises licence. A premises licence is therefore required for this business to authorise the provision of late night refreshment.

- 8.8 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.
- 8.9 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 The applicant's original operating schedule for this application can be found in their application attached at appendix 1.
- 9.5 **Conditions agreed with responsible authorities**
- 9.6 The following conditions were agreed between the applicant and the Police during the consultation period and were accepted as amendments to the application and the operating schedule:
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 day period, providing that such requests are in connection with the prevention or detection of crime.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member 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 Watford Police Licensing Unit and the licensing authority until the fault is rectified.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
5. An incident log shall be kept at the premises for at least 12 months, and made available on request to an authorised officer of the licensing authority or the Police, which will record the following:
 - (a) all crimes reported to or by the premises to the Police
 - (b) all ejections of patrons
 - (c) any complaints received relating to crime and disorder
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any failures or faults in the CCTV system
6. 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.

9.7 During correspondence with the Police, it was also confirmed that the operating hours of the application should be amended to allow the provision of late night refreshment between the hours of 23:00 and 05:00 Monday to Sunday, the premises would only open to the public during the hours of 06:00 and 00:00 Monday to Sunday with the drive-through service window remaining active 24 hours a day. Between 00:00 and 06:00, customers may only be served through the service window and not be allowed entrance to the premises.

9.8 As a result of licensing officers seeking clarification on the provision of recorded music, it was confirmed that the premises did not intend to offer music which would be classified as regulated entertainment, and as a result recorded music was withdrawn from the application.

- 9.9 No other conditions or additional steps were agreed with any other responsible authority.
- 9.10 **Conditions proposed by other objectors**
- 9.11 There were no conditions proposed by any other objectors.
- 9.12 **Conditions consistent with the operating schedule**
- 9.13 Officers would propose the following condition as being consistent with the applicant's operating schedule, following correspondence with licensing officers, and being appropriate for the promotion of the licensing objectives:
7. Customers collecting food and/or drink orders between the hours of 00:00 and 05:00 shall only be served through the drive-through service window at the premises.
- 9.14 This condition confirms that late night refreshment provided between 00:00 and 05:00 shall only be provide through the drive-through service window. It states the requirement for service through the drive-through service window clearer than just relying upon the opening hours. Conditions should be clear on what is required of licence holders, and officers would suggest that this does promote clarity. Although the service window is to be in use until 06:00, the condition can only apply until 05:00 because late night refreshment only applies until 05:00.
- 9.15 Officers would propose that if customers are restricted to collecting food and drinks in their vehicles, there is less risk of customers needing to exit their vehicles and instead drive away from the premises after collecting their order which would mitigate concerns of nuisance in the immediate vicinity.
- 9.16 **Pool of Model Conditions**
- 9.17 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.
- 9.18 Although not included in the pool of model conditions, the following condition may be appropriate to mitigate concerns regarding the risk of litter:
1. Signage shall be clearly displayed at the drive-through service window, visible to customers using the service window, advising customers not to litter and use the bins provided for the disposal of rubbish.
- 9.19 There are two litter bins currently provided on the outside of the premises, with one outside the front of the premises and one located on the way out of the drive-

through. Concerns over litter have been raised in the representations and directing customers to use these litter bins could help mitigate these concerns. The statutory guidance does state that away from the immediate area surrounding the premises customers are responsible for their own actions. However, it is also established in the statutory guidance that signage may be used to help influence customer behaviour. The bins are located close to the premises and officers would advise that they are located sufficiently close to be considered the immediate surrounding area.

9.20 If the Sub-Committee consider it appropriate to establish litter collection through a condition, as is indicated through the representations, officers have identified the following condition from the pool of model conditions, modified to take into account the specific location of the premises and the representations which have been received, as being appropriate for the for the promotion of the licensing objectives and to mitigate the concerns raised in the representations:

2. All litter to include discarded flyers, cigarettes, fast food packaging and any other litter, whether caused by the venue or not, shall be cleaned from an area of 20 metres in all directions from the drive-through service window at least once a day. All waste collected is to be disposed of by the premises of as trade waste. The details of all cleaning undertaken under this condition are to be recorded and maintained at the premises for 12 months.

9.21 It would not be proportional to require the entire car park at this location to be cleaned daily and therefore it is appropriate to set a limit on the area which is to be cleaned. Officers would propose a limit of 20 metres to help limit the spread of litter while still remaining within the vicinity of the premises. Since the drive-through service window will see the majority of customers during the licensed period, and not the front entrance of the premises, it is considered appropriate to measure from this point. The model condition only proposes that the area within 15 metres of a premises be cleared. While this remains an option to Members, an area of 15 metres would not cover the exit from the drive-through and would fall short. Extending this to 20 metres would cover the drive-through exit and would be specifically tailored to the specific layout and operation of this premises. However, this would not cover the car parking spaces mentioned in the representations, which are approximately 22 to 41 metres away from the collection window.

9.22 With the licence only requesting the provision of late night refreshment, this condition would only be enforceable between the hours of 23:00 and 05:00.

9.23 All measurements have been obtained using the council's mapping software.

9.24 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. It also does not restrict

the Sub-Committees power to amend any proposed conditions if an amended condition would be more appropriate to address the concerns raised against this application.

9.25 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 have been received, and which have not been withdrawn, the Sub-Committee acting on behalf of the licensing authority must make a determination on this application.

10.2 Officers can advise that mediation has been offered in this case as is standard practice, and any updates with regards to this mediation shall be provided to Members as appropriate.

10.3 It is noted that the representations do mention that there is no need for a 24 hour premises in this location. Members are reminded that the statutory guidance does go into detail on the difference between the need for premises and the cumulative impact of a number of premises within a set area. This premises does not fall under a cumulative impact policy and therefore the cumulative impact of nearby premises is not up for consideration. With regards to the 'need' for premises, this is not a matter for the licensing authority to determine. Members are only required to consider the application before them on its own merits and determine the application.

10.4 The representations do concern the impact of customers, particularly with regards to litter. As highlighted earlier in this report, the statutory guidance does state that beyond the immediate area surrounding the premises, individuals are accountable for their own actions. In proposing relevant conditions for this application, officers have proposed conditions, particularly with regards to signage and possible litter collection, within the vicinity of the premises. In doing so, officers have proposed a limit on how far away from the premises this collection should occur. Conditions should clearly set out what is expected from licence holders and their staff and this aim can be achieved by defining the litter collection area. The proposed extent has also been put forward taking into account the layout and use of the surrounding area.

10.5 Members are reminded that both applicants and objectors have the right to expand upon their original submissions, but should not introduce new evidence unless provided and circulated before the hearing, or introduced at the hearing with the agreement of all parties present.

- 10.6 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.
- 10.7 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.
- 10.8 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.
- 10.9 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.
- 10.10 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 2A – Location plan

Appendix 2B – Site plan

Appendix 3 – Garston Medical Centre representations

Appendix 4 – Campbell-Pugh representations

Appendix 5 – 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 (August 2023)

Licensing Act (Hearings) Regulations 2005

Watford Borough Council Licensing Policy (April 2021 - November 2023)

Watford Borough Council Pool of Model Conditions (January 2018)



Watford
Application for a premises licence
Licensing Act 2003

For help contact
licensing@watford.gov.uk
 Telephone: 01923 278476

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Director

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Coffee Shop supplying food and drink

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

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.

Unamplified

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Music will be played all the time

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

Unamplified

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Music will be played at all times

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Standard timings

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Continued from previous page...

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

- CCTV and monitored alarm system
- Risk Assessment and CCTV
- Alarm monitored by police
- CCTV, Alarm system connected to emergency services

b) The prevention of crime and disorder

CCTV and Alarms

c) Public safety

Risk Assessment and CCTV

Continued from previous page...

d) The prevention of public nuisance

Alarm monitored by police

e) The protection of children from harm

CCTV, Alarm system connected to emergency services

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

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

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

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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.

Continued from previous page...

- 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
 - o 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to <https://www.tax.service.gov.uk/business-rates-find/search>.

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

450.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

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

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

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

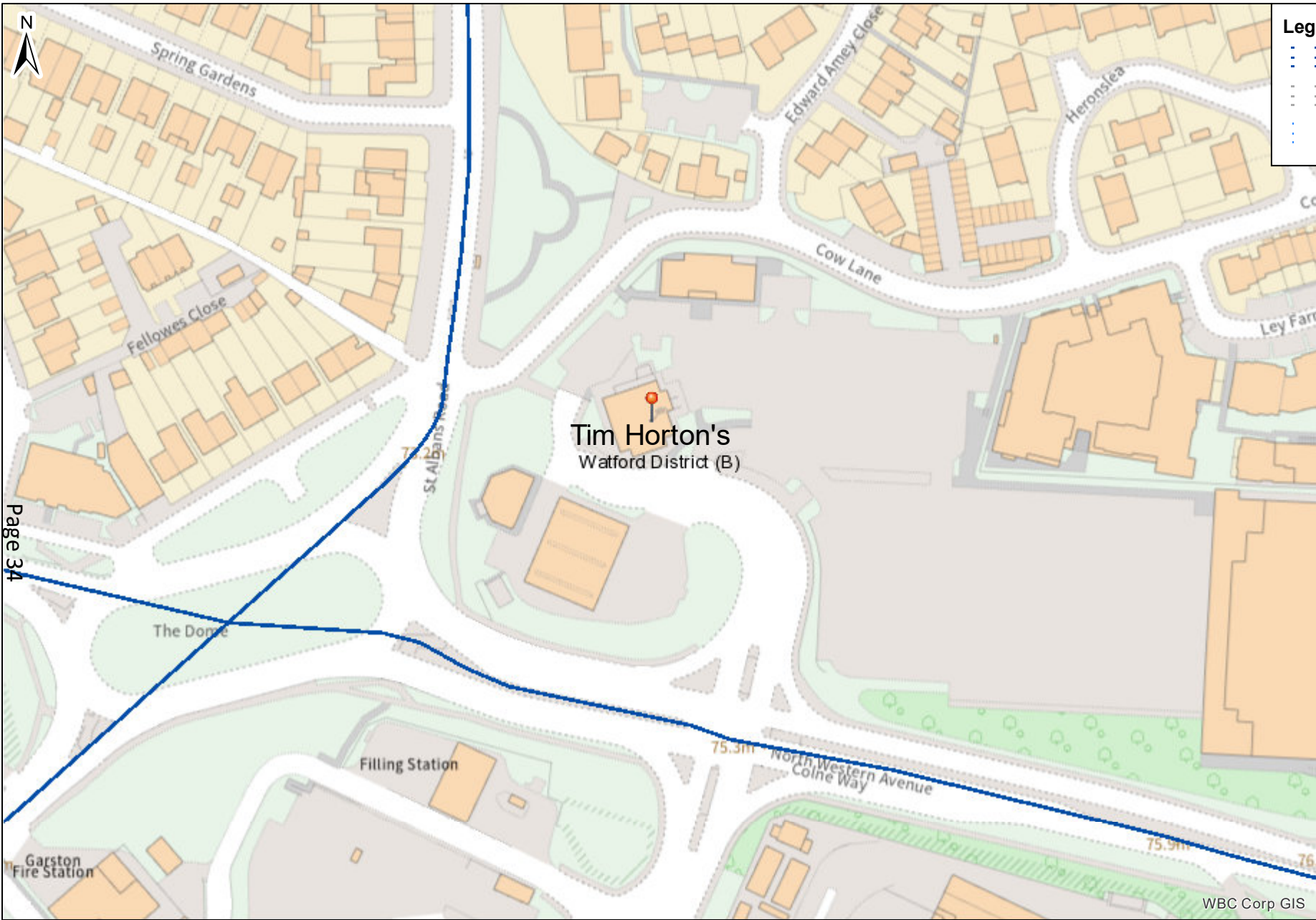
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/watford/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

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



Legend

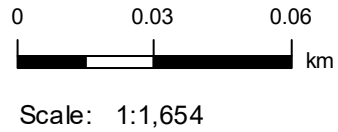
- Wards
- Herts District Boundaries
- Borough Mask

Page 34

WBC Corp GIS



Title: Appendix 2A
 Date: 06/11/2023
 Author: Austen Young





Legend

- Wards
- Herts District Boundaries
- Borough Mask

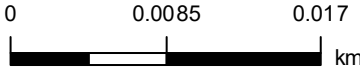
WBC Corp GIS



Title: Appendix 2B

Date: 06/11/2023

Author: Austen Young



Scale: 1:413



From: ELIAD, Rami (GARSTON MEDICAL CENTRE)

Sent: Friday, October 13, 2023 11:39 AM

To: Licensing (Watford)

Cc: GOZZARD, Sandy (GARSTON MEDICAL CENTRE); SATHIYASEELAN, Thirunavukarasu (GARSTON MEDICAL CENTRE); ELIAD, Benjamin (GARSTON MEDICAL CENTRE)

Subject: Ref 23/01162/PRE Tim Hortons WD25 9JS

Dear Sir

I am the Senior Partner at Garston Medical Centre, opposite Tim Hortons.

The above application raises concerns on a number of levels:

1. Any Music played should be done inside the premises only, to not disturb our patients as they arrive and leave the surgery.
2. Arrangements made to restrict Tim Hortons customers from parking in our 28 allocated parking spaces including the disabled spaces. These are essential to support our patients access to the surgery.
3. Arrangements made to clear litter created by Tim Hortons packaging that is found regularly near our premises and in our car parking areas as well as in the surrounding green areas. I personally need to clear this rubbish every morning when coming to work. This site management needs to take place a number of times per day and make sure that before we open in the morning the site is clear. It is not appropriate for our patients to need to navigate discarded food packaging as they come to the surgery. It is also a health concern with the packaging discarded in the bushes.
4. Anti social behaviour resulting in littering, damage and discarding of cigarette buds around the surgery.

I am happy to join a site visit with you if you feel this will be helpful.

Dr Rami Eliad

Dr Rami Eliad

GP Principal

Garston Medical Centre

Children Young People and Maternity Clinical Lead: South & West Hertfordshire

Watford and Three Rivers Locality Lead

GP Trainer

GP Appraiser

Watford LMC Representative

From: Laura Campbell-Pugh
Sent: 24 October 2023 12:10
To: Austen Young
Subject: Re: 23/01162/PRE

Good afternoon,

I do not wish to withdraw as the noise already from the public accessing the premises already causes disruption and nuisance and if it was extended to all hours we will kept away, my children disturbed all night long rather than just the first part of the evening as they already are.

It should not be given a 24 hour license as their custom disturbs the lives of the local community.

Kind regards

Laura

Sent from [Outlook for Android](#)

From: Austen Young
Sent: Tuesday, October 24, 2023 11:47:24 AM
To: Laura Campbell-Pugh
Subject: FW: 23/01162/PRE

Dear Ms Campbell-Pugh

Thank you for your email.

I acknowledge receipt of your objection, although I must advise that some of your comments are not relevant in relation to considering a licence application. However, I still have advice for you in regards to your invalid comments.

First, I want to advise that this application has been amended since its original submission.

Tim Hortons are no longer requesting a licence to play recorded music and I have accepted this amendment. This amendment was agreed after the consultation started on the licence application. I note that you have specific concerns over the playing of recorded music. The only licensable activity that they are requesting now is the provision of late night refreshment. Late night refreshment is the supply of hot food and/or hot drinks at any time between 23:00 and 05:00.

I can confirm that the hours requested in the application have been amended. The hours requested are now as follows:

Provision of late night refreshment, Monday to Sunday 23:00-05:00

Opening times for drive-through, Monday to Sunday 00:00-00:00

Opening times for indoor restaurant, Monday to Sunday 06:00-00:00

This means that the drive-through counter at the premises will be open 24 hours a day. Customers will be allowed to physically enter the premises during the hours of 06:00-00:00, but between 00:00 and 06:00, customers will only be able to use the drive-through counter.

I can also advise that the Police and the premises have agreed a number of conditions which will form part of any licence granted as a result of this application. The Police are a statutory consultee on all licence

applications and as such are invited to comment on all applications. These conditions are attached for your information.

I note that you mention that there is no need for 24 hour service at this location. Unfortunately, the licensing regime is not concerned with the 'need' for premises, as this is seen as being something which is dictated by customer need and market forces. Instead, each application must be treated on its own merits and each application assessed individually. Whether or not there is a 'need' for a premises is not relevant, but the potential impact of a premises is relevant. The only matters which can be considered must relate to one or more of the licensing objectives, which are:

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

Nuisance from lights and noise can be considered as being relevant and would fall under the licensing objective of public nuisance.

With regards to the members of staff disturbing you, this is not relevant to licensing but I still might be able to address this issue. If you want your objection to stand I must pass your comments across to Tim Hortons. When I do this, I can flag up to their head office that staff at this premises have been acting in this manner and bring it to their attention and relay to their staff that this behaviour is not appropriate.

If you think that the amendments listed above address your concerns, and you wish to withdraw your objection, please do let me know by reply to this email..

If after considering the amendments above you still have concerns, please let me know that you wish your objection to stand by reply to this email. If you have any further comments to make, or want to expand upon your objection, please let me know by 30 October 2023 at the latest. This is when the consultation period for this application closes. If you do wish your objection to stand, I would be grateful if you could advise if there is anything that you think the premises could offer in the way of conditions, such as those agreed with the Police, which you think could address your concerns. For example, if you are concerned over customer behaviour, particularly with regards to the honking of horns, would it be useful for the premises to put up signage at the drive-through window reminding customers to not honk their horns between the hours of 11.30 pm and 7.00 am in accordance with the Highway Code?

Please do not hesitate to contact me should you have any queries.

Regards

Austen

Austen Young (he/him)
Senior Licensing Officer
Housing & Wellbeing
Watford Borough Council
Town Hall, Watford, WD17 3EX
01923 278476
watford.gov.uk

Watford Borough Council supports flexible and agile working. My emails are sent to you during the hours I work and I understand you will respond during the hours you work.

From: Laura Campbell-Pugh
Sent: Tuesday, October 24, 2023 10:00 AM

To: Licensing (Watford)

Subject: 23/01162/PRE

Dear Austen Young,

Thank you for your letter (10th October) about the application (23/01162/PRE) for Tim Horton to extend its music and refreshments times.

I STRONGLY object to this for the following reasons:-

- The lights of Tim Hortons already light up all the front rooms of our home, raised concerned at the time of opening directly to the venue and was grunted at and told nothing they could do
- Currently there is anti-social behaviour around the venue including loud music from cars accessing the drive through late at night, horns being honked due to slow service on the drive through, noise from the deliveries causes disturbance
- There is no need for a 24 hour service at this location
- We already hear the noise from the Sainsbury's petrol station tannoy and if Tim Horton is allowed music we will hear that as well which means we will never get any piece and quiet
- We have been disturbed by the noise and light produced by Tim Horton's and never had this issue when it was Pizza Hut
- Members of staff have disturbed us of an evening but ringing our door bell to ask to rent a room (this has happened 3 times this year) which is unacceptable when they are promoting themselves as staff causing more annoyance with the venue

I would be very disappointed in Watford Borough Council if they accepted this unnecessary application.

Kind regards,

Laura Campbell-Pugh

Resident of St Albans Road, WD25 9JH



APPENDIX 5

**Licensing Act 2003
Schedule 12
Part A**

Regulation 33,34

Premises Licence

Premises Licence Number	23/01162/PRE
--------------------------------	--------------

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
Tim Hortons 6B North Western Avenue Watford WD25 9JS	
Telephone number	

Where the licence is time limited, the dates
From 27 November 2023

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities	
Provision of Late Night Refreshment Monday to Sunday	23:00 - 05:00

The opening hours of the premises	
Monday to Sunday	06:00 - 00:00

Part 2

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

TH UK & Ireland Ltd
Fortune House
Crabtree Office Village
Eversley Way
Egham
TW20 8RY

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

Registered Business Number - 10303138

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

None specified

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

Not applicable

Annex 2 – Conditions consistent with the Operating Schedule

The following conditions have been identified as being consistent with the applicant's operating schedule (as amended or agreed during the consultation period) by officers

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 day period, providing that such requests are in connection with the prevention or detection of crime.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member 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 Watford Police Licensing Unit and the licensing authority until the fault is rectified.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
5. An incident log shall be kept at the premises for at least 12 months, and made available on request to an authorised officer of the licensing authority or the Police, which will record the following:
 - (a) all crimes reported to or by the premises to the Police
 - (b) all ejections of patrons
 - (c) any complaints received relating to crime and disorder
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any failures or faults in the CCTV system
6. 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.
7. Customers collecting food and/or drink orders between the hours of 00:00 and 05:00 shall only be served through the drive-through service window at the premises.

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

The following conditions have been proposed by officers in response to the representations received against the application based upon the council’s pool of model conditions and the application before the Sub-Committee:

1. Signage shall be clearly displayed at the drive-through service window, visible to customers using the service window, advising customers to not litter and use the bins provided for the disposal of rubbish.
2. All litter to include discarded flyers, cigarettes, fast food packaging and any other litter, whether caused by the venue or not, shall be cleaned from an area of 20 metres in all directions from the drive-through service window at least once a day. All waste collected is to be disposed of by the premises of as trade waste. The details of all cleaning undertaken under this condition are to be recorded and maintained at the premises for 12 months.

This does not restrict the Sub-Committee’s power to attach conditions from the licensing authority’s pool of model conditions (amended or otherwise), to modify any conditions which have been proposed by the responsible authorities, or to compose their own conditions if they consider that they are appropriate, proportionate, justifiable, and within the applicant’s power to comply with.

