

**LICENSING AUTHORITY FOR WATFORD**  
**LICENSING ACT 2003**  
**LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

**NOTICE OF DETERMINATION**

Application Ref No: 13/00170/LAINPT

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Date of hearing: 25 February 2013

Date of determination: 25 February 2013

Committee members: [Chair]: Councillor George Derbyshire  
Councillor Malcolm Meerabux  
Councillor Derek Scudder

Officers: Oliver Rawlings  
Carol Chen  
Rosy Wassell

1. This was an application for a Premises Licence review submitted by Hertfordshire Constabulary

in respect of: Yellow and Red Lion Public House  
105 Vicarage Road  
Watford  
WD18 0EY

2. The Committee heard oral evidence from the following witnesses:

1. Jonathan Price, Premises Licence Holder
2. Neil Price, Yellow and Red Lion
3. Sergeant Marie White, Hertfordshire Constabulary
4. John Corkett, Hertfordshire Constabulary

3. The following persons were also present, but took no part in the Hearing:

1. Erin Johnson, Red Lion, Observer
2. Councillor Ian Brown
3. Councillor Mo Mills, ward councillor
4. Mike Wright, Watford Observer

4. The Committee also took into account written evidence from the following in their absence:
  1. Matthew Nichols, Hertfordshire Constabulary
  2. Duncan Turton, Interested Party
  
5. The following representations were withdrawn prior to the Hearing:

None
  
6. The Committee has taken into account the following provisions of the Licensing Act 2003:

Sections: 167 (review of premises licence following a closure order)

Reasons: This was the relevant section of the Act for this application.
  
7. The Committee took into account the following provisions of the guidance under section 182 of the Act:

Paragraphs: Chapter 11

Reasons: This was the relevant chapter of the Secretary of State's guidance for this application.
  
8. The Committee took into account the following provisions of its statement of licensing policy:

Paragraphs: Policy LP13 (license reviews)  
Appendix 1 (Licence review guidelines)

Reasons: These were the relevant paragraphs and appendices of the Licensing Authority's Statement of Licensing Policy.
  
9. The Committee had regard of paragraph 4.3 of the Secretary of State's guidance under section 182 of the Act but decided that it was still necessary to impose a condition on the licence requiring a personal licence holder to be on the premises on duty at all times when Vicarage Road Stadium requires a stadium safety certificate for the reasons set out in paragraph 11 below.
  
10. The Committee did not depart from its statement of licensing policy.

11. Having taken into account the provision of the Licensing Act 2003 and its guidance, as well as the representations of the Hertfordshire Constabulary and the Premises Licence Holder, the Sub-Committee has decided to impose two additional conditions on the Licence of the Yellow and Red Lion as follows:
- There shall be a Personal Licence Holder (as defined by the Licensing Act, 2003) on duty at the venue at all times when Vicarage Road Stadium requires a stadium safety certificate.
  - Except in the case of an emergency, neither the gate nor any door leading onto the street from the rear courtyard of the venue may be open on days where Vicarage Road Stadium requires a safety certificate.

The Sub-Committee recognises that, due to its location, the premises are vulnerable to potential crime and disorder on those occasions when the stadium requires a safety certificate, and considers it reasonable for a qualified person (Designated Premises Supervisor or a Premises Licence Holder) to be required to be present on the premises on these occasions.

Signed [Chair]: Councillor George Derbyshire  
Councillor Malcolm Meerabux  
Councillor Derek Scudder

Date: 25 February 2013