

LICENSING SUB COMMITTEE

NOTICE AND AGENDA

For a meeting to be held on Tuesday, 16 July 2024 at 10.00 am in the Penn Chamber, Three Rivers, Northway, Rickmansworth.

Members of the Licensing Sub Committee:-

Councillors:

Harry Davies
Andrea Fraser

Tony Humphreys

*Joanne Wagstaffe, Chief Executive
Monday, 8 July 2024*

The Council welcomes contributions from members of the public on agenda items at the Licensing Sub Committee meetings. Details of the procedure are provided below:

For those wishing to speak:

Members of the public are entitled to register and identify which item(s) they wish to speak on from the published agenda for the meeting. Those who wish to register to speak are asked to register on the night of the meeting from 7pm. Please note that contributions will be limited to one person speaking for and one against each item for not more than three minutes.

In the event of registering your interest to speak on an agenda item but not taking up that right because the item is deferred, you will be given the right to speak on that item at the next meeting of the Committee.

Those wishing to observe the meeting are requested to arrive from 7pm.

In accordance with The Openness of Local Government Bodies Regulations 2014 any matters considered under Part I business only of the meeting may be filmed, recorded, photographed, broadcast or reported via social media by any person.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Legislation and the laws of libel and defamation.

The meeting will not be broadcast/livestreamed but an audio recording of the meeting will be made.

1. APPOINTMENT OF CHAIR

The Sub Committee are asked to appoint a Chair for the duration of the meeting.

2. DECLARATIONS OF INTEREST

The Sub Committee are asked to declare any interests that they may have.

3. PROCEDURES OF THE SUB COMMITTEE

(Pages 3
- 4)

All attendees at the hearing are to note the procedures of the Sub Committee.

4. FULL VARIATION OF PREMISES LICENCE AT THE BELL, 18 HIGH STREET, BEDMOND

(Pages 5
- 72)

The application is to vary the current premises licence to allow live amplified music outside in the garden area on Saturdays and Sundays, during the summer months (July – September) between 14:00 – 17:00. This would equate to approximately 13 weekends of outside performances.

The applicant is also seeking to remove the following restrictive conditions: "Annex 3 – Conditions attached after a hearing by the licensing authority on 23 November 2005

1. No more than two musical performers are permitted inside the premises at any one time.

2. No music, live or recorded, is to be played outside the premises."

The intention of removing these conditions is a) to be permitted to use the outside space at the premises for the performance of live music as applied for and b) to allow more than two performers inside the premises at any one time.

Valid representations have been received both objecting and supporting the premises licence.

General Enquiries: Please contact the Committee Team at committeeteam@threerivers.gov.uk



LOCAL LICENSING AUTHORITY

LICENSING SUB-COMMITTEE PROCEDURE

LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

The following proceedings will occur at the Licensing Sub-Committee when it has come to order.

1. The Licensing Panel Sub-Committee are to elect a Chair.
2. The Chair will welcome all parties to the hearing, introduce the Sub-Committee Members and officers present.
3. The Chair will confirm no conflict of interests.
4. The hearing will then proceed as follows:-
 - The Reporting Officer (as the licensing authority) shall read the licensing report to open Sub-Committee, outline the application and the decision to be taken.
 - Sub-Committee Members to ask questions of the Reporting Officer.
 - Applicant to ask questions of the Reporting Officer.
 - The Applicant to put their case to the Sub-Committee.
 - Sub-Committee Members to ask questions of the Applicant.
 - If applicable, any other persons to make relevant representations that are before the Sub-Committee.
 - If applicable, Sub-Committee Members to ask questions of other persons.
 - If applicable, Applicant to ask questions of other persons.
 - Chair to ask if any parties have any further questions or anything they wish to add.
 - Applicant to briefly summarise their position & confirm that they have had every chance to say what they have wished too.
 - Reporting Officer to sum up and restate the options for the Members of the Sub Committee
 - Sub-Committee to retire and communicate their decision within 5 working days.
5. Parties should be aware that the application before the Sub-Committee is heard as a formal quasi-judicial hearing. The procedure is governed by the Licensing Act 2003 (the Act), the revised Guidance under section 182 of the Act and the Licensing Act 2003 Hearing Regulations 2005 (the Regulations). The Sub-Committee and all attending parties should dress appropriately.
6. Relevant representations to be heard by the Sub-Committee are those which are filed with the Licensing Authority

6.1 on time and

6.2 relate to the likely effect of the application on the promotion of one or more of the Licensing Objectives which are the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

Representations made on time

7. Section 17(5)(c) of the Act provides that regulations may prescribe the period within which relevant representations can be made. Representations will only be relevant if they are made within this period.
8. The definition of “relevant representations” in section 18(7)(a) of the Act contains a requirement that the representations were made by an interested party or responsible authority “within the period prescribed by section 17(5)(c) and Regulation 22(b) of the Licensing Act (Premises Licence and Club Premises Certificates) Regulations 2005.
9. Regulation 22(1)(b) states that a representation may be made at any time during a period of 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant. This means 28 days consecutive days after the application was given to the authority. Any representations received after the 28-day cut-off period are not relevant for the purposes of the Act even if they relate to one or more of the licensing objectives. The date on which the current application was received was the day of 2024.
10. Late representation(s)/evidence as a matter of law cannot be placed before the sub-committee UNLESS all parties agree to their inclusion. The Act and Hearing Regulations aim to ensure a fair level playing field with all parties having adequate notice of the evidence before the sub-committee and an ability to respond with no party being taken by surprise.
11. Regulation 16 of the 2005 Regulations allow for clarification or provide further information relating to an existing representation before the Sub-Committee. It does not allow for new representations to be introduced, even if related to one or more of the four Licensing Objectives. The Chair will be advised by the Legal Adviser to ensure only those representations before the Sub-Committee are heard and will form the basis of the evidence on which the de

Agenda Item 4

LICENSING SUB COMMITTEE

16 July 2024 at 10:00

at Three Rivers House, Northway, Rickmansworth, Herts, WD3 1RL

Applicant: Kirsty Johnson

Application Premises: The Bell

Application address: 18 High Street Bedmond Abbots Langley Hertfordshire WD5 0QR

Type of Application / Reference: Full variation of premises licence
24/00261/LAPL04

Date of Application: 13 May 2024

Date by which a hearing must be commenced: 25 July 2024

Valid application made: Yes

1. Summary of premises and surroundings:

The Bell (“the premises”) is located on the High Street in Bedmond and is surrounded by several residential properties, the closest being Bellvue, positioned directly to the rear (east) of the premises and situated on Bell Lane.

The location of the premises is shown at **Appendix 1**. High Street, Bedmond mainly consist of residential properties and ‘The Bell Public House’ being the only licensed premises in the village.

This application is to amend the licensable activities at the premises to permit live music to be performed in the garden area on weekends during the summer months, and to update the operating schedule to remove restrictive conditions previously imposed on the licence in relation to regulated entertainment (live and recorded music).

A map showing the approximate location of residential properties in the immediate vicinity of the public house is attached see **Appendix 2**.

2. Summary of application sought:

This application form can be viewed at **Appendix 3**.

The application is to vary the current premises licence (**Appendix 4**) to allow live amplified music outside in the garden area on Saturdays and Sundays, during the summer months (July – September) between 14:00 – 17:00. This would equate to approximately 13 weekends of outside performances.

The applicant is also seeking to remove the following restrictive conditions:

Annex 3 – Conditions attached after a hearing by the licensing authority on 23 November 2005

1. No more than two musical performers are permitted inside the premises at any one time.

2. No music, live or recorded, is to be played outside the premises.

The intention of removing these conditions is a) to be permitted to use the outside space at the premises for the performance of live music as applied for and b) to allow more than two performers inside the premises at any one time.

Live music - July – Sept Saturday and Sunday 14:00 – 17:00 weather permitting.

Opening times of the premises

Monday to Thursday 11:00 – 00:00

Friday and Saturday 11:00 – 00:30

Sunday 12:00 – 23:00

We must mention that as a result of the 2015 deregulatory changes which amended the Licensing Act 2003, no licence is required for the following activities:

- a performance of unamplified live music between 8.00am and 11.00pm on any day on any premises
- a performance of amplified live music between 8.00am and 11.00pm on any day on premises authorised to sell alcohol for consumption on those premises provided that the audience does not exceed 500
- a performance of amplified live music between 8.00am and 11.00pm on any day in a workplace that is not licensed to sell alcohol on those premises provided that the audience does not exceed 500 (a pub garden is classed as a workplace)

Therefore, it is only due to the restrictive conditions currently imposed on the licence that this premises cannot benefit from the above exemptions.

The applicant has also provided a sound survey **Appendix 5** which details measures that the applicant should take to reduce and minimise the noise nuisance for the neighbouring properties.

3. Promotion of licensing objectives by the applicant:

Within the submitted application form, the applicant has set out the additional steps that they intend to take to update and promote the four licensing objectives. These include:

- All staff are trained and instructed regularly, equipment is regularly checked, and extra steps are always taken

Prevention of crime and disorder

- CCTV installed within and outside premises to cover all public areas including all entrances and exits
- Signage will be displayed advising that CT is in operation
- The CCTV will record clear images of evidential quality and permitting the identification of individuals
- The CCTV recorded footage must be securely retained for a minimum of 28 days
- The CCTV system will be operational at all times while the premises is open for licensable activities.
- All equipment will have a constant and accurate time and date generation
- The CCTV system is fitted with security function to prevent recordings being tampered with
- The toilets shall be checked regularly
- The external lighting shall be in operation whilst the premises is open to the public
- An incident log shall be kept at the premises to record all incidents

Public Safety

- All staff are trained in fire safety procedures
- All firefighting equipment annually checked
- All staff are first aid trained

Prevention of public nuisance

- All staff are trained in asking patrons to leave quietly
- Noise levels will be monitored during any live music in the garden to ensure that no nuisance is caused to neighbouring dwellings

Protection of children from harm

- Children shall not be allowed in the premises after 19:00
- Children shall not be permitted on the premises at any time unless accompanied by an adult
- The premises will operate a Challenge 25 policy for sales of alcohol.
- Only forms of ID such as photographic or driving licence, passport or proof of age PASS hologram will be accepted for proof of age.
- Signage advising the Challenge 25 Policy will be prominently displayed at the premises.

4. Consultation

A Licensing Officer can confirm that the blue notice was displayed at the premises in the correct manner and a notice was also placed in the Watford Observer as required. as per the legislation requirements.

5. List of Objectors / Representations

Responsible Authorities:

1) Residential Environmental Health:

The proposal of playing live and amplified music, within the premises garden on Saturday and Sunday from 14:00 to 17:00, across July, August and September. Having discussed the noise assessment, the following has been agreed;

- Environmental Health accept your proposal to play live and amplified music on Saturday and Sunday from 14:00 to 17:00, across July, August and September on the condition that an acoustic noise barrier and a noise limiter has been installed by a competent person to minimise any adverse effects to the nearest receptor and surrounding areas.
- To implement an appropriate noise management plan.

However, should noise complaints arise, our decision will be reviewed.

The above can be incorporated in the conditions if the licence variation is granted.

2) Planning: [No objection]

3) Hertfordshire Fire & Rescue Service: [No objection]

Hertfordshire Fire and Rescue Service do not object to this application and have no relevant representations to make.

4) Public Health: [No objection]

Public Health has no representation on this application

5) Police: [No objection]

Other Persons:

1 x objection - **Appendix 6**

6. Summary of Objections / Representations (the 4 Licensing Objectives)

Relevant representations from “other persons”:

- The prevention of crime and disorder: n/a
- Public safety: n/a
- The prevention of public nuisance: n/a
 - Concerns re the noise from the garden of the pub and summers being blighted by the noise.
 - Previous years before this application was made the previous licensee held several events in the pub garden with amplified music and disgraceful foul language. To have amplified music in the pub garden will ruin our enjoyment of our gardens which is already spoilt by the noise from their customers who get quite rowdy at times not caring about the volume of noise they make.
 - Residents should also be able to enjoy their gardens during summer afternoons.
- The protection of children from harm: n/a

The valid representations are attached at **Appendix 6**.

Other comments received:

1 x in favour (**Appendix 7**).

- The Bell Public House lies at the centre of the community for residents in Bedmond and has been an integral part of the village for hundreds of years. Since being under new management, the pub has transformed into a beautifully presented, family friendly hub which this application only looks to uphold.
- The application is limited to three summer months; the hours proposed are reasonable and take into account weekend mornings, early afternoons and evenings for neighbouring residents. In addition, the no children after 19:00 policy also takes this consideration into account.
- The Bell pub is managed well, the application has taken into account adjoining residents right to peaceful enjoyment but without stifling the one public house left and community who frequent it. We therefore fully support this application

7. Statutory Guidance

Amended Guidance issued under Section 182 of The Licensing Act 2003:

The Licensing Objectives and Aims:

Paragraph 1.2

The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

Paragraph 1.3

The Licensing Objectives:-

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and

- The protection of children from harm.

Paragraph 1.4

Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

Paragraph 1.5

However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- Protecting the public and local residents, from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- Giving the Police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- Recognising the important role which pubs and other licensed premises play in our communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises.
- Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

Determining Applications:

Paragraph 9.1 General.

When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in accordance with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

Paragraph 9.3: Where representations are made.

Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious. Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

Paragraph 9.4:- Relevant, Vexatious and Frivolous Representations

A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example a representation from a local businessperson about the commercial damage caused by competition from new licensed premises, would not be relevant. On the other hand, a representation from a businessperson that nuisance caused new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at a premise, to support their representations, and in fact this would not be possible for new premises.

Hours of Trading:

Paragraph 10.11

The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

Paragraph 10.12

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 or grant it with appropriate conditions and/or different hours from those requested.

Paragraph 10.13

Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

8. Statement of Licensing Policy (2021-2026)

LP1 - Fundamental Principles

1.1 In carrying out its licensing functions the Licensing Authority will promote the Licensing Act's four licensing objectives.

1.2 Purpose of Licensing policy.

- To support and provide guidance to elected members.
- To inform licence applicants.
- To inform residents and businesses.
- To support decisions made by the licensing Authority.

LP15 - CUMULATIVE STRESS

LP14.3 The Licensing Authority proposes to reserve its right to adopt a Cumulative Stress Policy (CSP) as provided for by the Secretary of State's Statutory Guidance. If this is ever applied, it might lead the Licensing Authority in turn to consider the question of whether the grant of any further premises licences or club premises certificates would undermine one or more of the licensing objectives.

LP18 – TRADING HOURS

18.1 With regard to trading hours, the Licensing Authority proposes that proper consideration will always be given to the individual merits of an application. The Government strongly recommends that statements of licensing policy should recognise that longer licensing hours with regard to the sale of alcohol are important to ensure that concentrations of customers leaving premises simultaneously are avoided, and the Licensing Authority supports this view in principle.

18.2 The Licensing Authority recognises the potential for additional crime and disorder and/or public nuisance arising from extended licensing hours. Consequently the Licensing Authority will scrutinise very carefully applications for extended licensing hours and, if determined appropriate, will seek to attach any necessary licence conditions for the promotion of the Licensing Objectives. For example, stricter conditions with regard to noise control will be expected in areas where the venue is in the vicinity of people's homes, but this should not unduly limit opening hours without regard to the individual merits of any application.

18.3 With regard to shops, stores and supermarkets, the normal scenario will be for such premises to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping, unless there are very good reasons for restricting those hours.

18.4 In the interests of reducing crime, disorder and anti-social behaviour, the licensing Authority will prefer applications from public houses, night-clubs, off-licenses

and clubs that show in their operating schedules a responsible approach to alcohol sales by:

- Ending alcohol sales at a designated time before they close, i.e. a closing time later than “a last orders” time for alcohol sales;
- Specifying a time by which the premises will be emptied of patrons and closed;
- Not taking part in discounted drinking promotions.
- how the premise intend to use their outside space (beer garden) and what measures will be put in place to minimise noise nuisance to the local residents. This may be by way of regular patrols of the perimeter of the premises and all checks documented in incident log book.

LP20 – PREVENTION OF CRIME

20.1 It is recommended that applicants for new premises licences and variations should discuss the crime prevention procedures in their premises with the responsible authorities and the licensing officer(s) before making a formal application.

20.2 Three Rivers District Council is committed to improving the quality of life for the people of the District by continuing to reduce crime and the fear of crime.

20.3 Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on the Licensing Authority, Police and County Councils amongst others to consider crime and disorder reduction in the exercise of all their duties. The 2003 Act, as amended, reinforces this duty for local authorities.

20.4 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.

20.5 When addressing the issue of crime and disorder, the applicant should demonstrate that those factors that impact on crime and disorder have been considered. These may include:-

- (a) Underage drinking;
- (b) Drunkenness on premises;
- (c) Public drunkenness;
- (d) Drugs;
- (e) Violent behaviour;
- (f) Anti-social behaviour.
- (h) Additional risk assessments (where required)

19.6 Applicants will be required to adhere to all legislation that is made whilst their licence is in force. Such as during the Covid-19 pandemic in 2020 (where specific legislation was enacted on a temporary basis only) and any future extreme circumstances.

LP21 – PREVENTION OF PUBLIC NUISANCE

21.1 With regard to the prevention of public nuisance, the Licensing Authority will determine all new or variations of licence applications considering all relevant factors, including:

The nature of the activities at the premises;
The hours of opening;

Proximity to residential premises;
Management of the premises;
The history of the premises' effect on neighbours and others in the vicinity;

21.2 The Licensing Authority will consider all proposed control measures, including:

- a) Effective and responsible management;
- b) Staff training;
- c) Adoption of best practice on noise control;
- d) Installation of suitable acoustic control measures;
- e) Where relevant, door supervision and management of customers as they enter and leave the premises.

21.3 Three Rivers District has many licensed premises that are close to or even enclosed by residential areas. Most of these are traditional community public houses and currently tolerated as the terminal hour is well established and neighbours know when they might expect any disturbances causing public nuisance to end.

21.4 Regular patrols of the outside space (e.g. beer garden or smoking area) may be required at regular intervals during busy periods and noted in the incident log book at the premises. Measures must be put in place to ensure the prevention of public nuisance, failure to adhere to conditions may result in the further action being taken against the premises licence.

21.5 Applicants may wish to consult a 'best practice guide' such as Effective Management of Noise from Licensed Premises (British Beer and Pub Association)

21.6 It follows that operators of licensed premises that are in the vicinity of domestic premises (and in the vicinity of business/commercial premises, places of learning and places of worship) may find that applications for variations seeking:

Extended hours of opening or trading;
The provision of regulated entertainment;
The provision of late night refreshment;
The supply of alcohol;

may be subject to representations from such neighbours, their representative(s) and/or the Environmental Health Officer on the grounds that public nuisance might be caused by the intended activity. In most cases such representations will result in a hearing, conducted by the Licensing Sub-Committee.

21.7 The Licensing Authority strongly encourages applicants to seek early discussions with the Environmental Health Officer at the Council (or the responsible officer for pollution) with the aim of resolving how potential public nuisances might be effectively controlled, so that agreed measures might be built into the operating schedule as mutually acceptable conditions. In this way representations from the Environmental Health Officer may be avoided. The Council also encourages local mediation in certain situations that might be amenable to such a solution.

21.8 Many, but not all, public nuisance issues can be resolved through reasonably practical and effective control measures. If such measures are not detailed in the operating schedule accompanying the application, and if then a local hearing takes place, the application may well be viewed unfavourably by the Licensing Committee.

21.9 Licensed premises have a significant potential to impact adversely on communities through public nuisances that arise from their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from the consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.

21.10 The Licensing Authority intends to interpret “public nuisance” in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area. Applicants need to be clear that the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received. Conversely, premises for which it can be demonstrated they have effective measures planned to prevent public nuisance, may be suitable for 24-hour opening.

21.11 In the case of shops, stores and supermarkets selling alcohol, the Licensing Authority will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons relating to disturbance or disorder.

21.12 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include:-

- (a) The location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship;
- (b) The hours of opening, particularly between 23:00 and 07:00;
- (c) The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises;
- (d) The design and layout of premises and in particular the presence of noise-limiting features;
- (e) The occupancy capacity of the premises;
- (f) The availability of public transport;
- (g) A 'wind-down period' between the end of the licensable activities and closure of the premises;
- (h) A last admission time.

LP22. PUBLIC SAFETY

22.1 The Licensing Authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.

22.2 When addressing the issue of public safety, an applicant must demonstrate that those factors that impact on the standards of public safety have been considered. These may include:-

- (a) The occupancy capacity of the premises
- (b) The age, design and layout of the premises, including means of escape in the event of fire
- (c) The nature of the licensable activities to be provided, in particular the sale or supply of alcohol, and/or the provision of music and dancing and including whether those activities are of a temporary or permanent nature

- (d) The hours of operation (differentiating between the hours of opening from the hours when licensable activities are provided, if these are different)
- (e) The Customer profile (e.g.; age, disability)
- (f) The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.
- (g) Compliance with the Equalities Act etc.

22.3 Occupancy limits: With the introduction of the Fire Safety (Regulatory Reform) Order 2005, it is recognised that existing prescriptive controls such as Fire Certificates have been replaced with the duty to produce risk assessments. In accordance with the Secretary of State's guidance, the Council will avoid duplicating existing controls. Where a relevant representation is received in respect of capacity, the Council may impose conditions in relation to the maximum number of persons to attend premises where:

- It considers it to be appropriate for the purpose of reducing crime and disorder;
- It considers it to be appropriate for the purpose of safety of occupants.

The issue of capacity will be decided on a case by case basis and will only be applied where there is a clear and justifiable need to do so based upon the nature and style of the premises and the licensing objectives.

The purpose of imposing a maximum number of persons to be in the premises at any one time is to ensure the safety of those persons at the premises. Where relevant representations have been made, the Council will set occupancy limits in consultation with the responsible authority.

22.4 Health and Safety: Every applicant granted a licence, certificate or permission would also be under a duty to comply with the Health and Safety at Work etc. Act 1974 and regulations made under it. In many cases, the Council will also be the enforcing authority responsible for ensuring compliance with the Health and Safety at Work Act in licensed premises.

LP23. PROTECTION OF CHILDREN FROM HARM

23.1 The protection of children from harm is a most important issue. It is hoped that family-friendly premises will thrive, but the risk of harm to children remains a paramount consideration when determining applications.

23.2 The general relaxation in the 2003 Act, as amended, giving accompanied children greater access to licensed premises is a positive step, aimed at bringing about a social change in family-friendly leisure. Clearly this relaxation places additional responsibilities upon licence holders. However, it is also recognised that parents and others accompanying children also have responsibilities.

23.3 Guidance from the Government states that licensing policies should make clear that conditions requiring the admission of children to any premises cannot be attached to licences or certificates. The Licensing Authority proposes that where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licence holders or club or person who has given a temporary event notice.

23.4 Venue operators seeking premises licences and club premises certificates may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the Licensing Authority concerned, these volunteered prohibitions and restrictions will become conditions attaching to the licence or certificate and will be enforceable as

such. The Licensing Authority in these circumstances may impose no other conditions concerning the presence of children on premises.

23.5 The policy cannot attempt to anticipate every issue that could arise in respect of children; therefore general rules are avoided and each application will be considered on its merits.

23.6 The protection of children from harm includes the protection of children from moral, psychological and physical harm, when attending licensed premises.

23.7 There are a number of important areas that will give particular concern in respect of children these include but are not exhaustive to the following examples:-

- (a) Where entertainment or services of an adult or sexual nature are provided;
- (b) Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
- (c) Where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
- (d) Where there is a known association with drug-taking or dealing;
- (e) Where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines), and
- (f) Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

23.8 Consequently the Licensing Authority proposes that there needs to be a range of alternatives, which will be considered for limiting the access of children where that is necessary for the prevention of harm to children. These, which can be adopted in isolation or combination, include:

- Limitations on the hours when children may be present;
- Limitations on the exclusion of the presence of children under certain ages;
- Age limitations (below 18);
- Requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult).
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

23.9 In the case of premises giving film exhibitions, the applicants should include in their operating schedule arrangements for restricting children from viewing age-restricted films. Similarly, in relation to such premises, a mandatory condition will be applied requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases, the local authority.

23.10 The Licensing Authority expects that licence holders contribute to this element by ensuring that age related checks are carried out and that the recommendation is that the forms of proof of identification accepted would include passport, photocard, driving licence and the Proof of Age Standards Scheme (PASS card).

23.11 Where a large number of children are likely to be present on a licensed premises e.g. for a children's show or pantomime, the Licensing Authority may impose a condition requiring an adequate ratio of adults to children. This is to control the access and egress of children and to protect them from harm. Such a ratio will be calculated by a formula which has regard to the number of children, the age of the

children, and the nature of the venue itself. Guidance on such a ratio is given in Parts 3 & 5 of Annex D of the Revised Guidance, issued on 28 June 2007.

23.12 The Licensing Authority considers that, on the one hand, there should be no presumption of giving children access or, on the other hand, no presumption of preventing their access to licensed premises, unless this is necessary for the prevention of physical, moral or psychological harm to them. The Licensing Authority has no intention of imposing conditions requiring the admission of children and, where no licensing restriction is necessary, admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a Temporary Event Notice.

23.13 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events.

23.14 Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration, and no policy can anticipate every situation. When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that impact on harm to children have been considered.

23.15 Child Sexual Exploitation (CSE): Child sexual exploitation is a significant concern for licensing authorities nationwide, as demonstrated by a number of high-profile reported cases which revolved around licensed premises. Where the operation of licensed premises is causally or demonstrably linked to child sexual exploitation, the Licensing Authority will not hesitate to use the full range of powers at its disposal to promote this licensing objective. Further details regarding this issue are given later in this document.

9. Other Relevant Information:

None.

10. Determination of application for a Premises Licence - Licensing Act 2003:

General Duties of the Licensing Authority:

Section 4 of the Licensing Act 2003 states:

1. A licensing authority must carry out its functions under this Act (licensing functions) with a view to promoting the licensing objectives.
2. The Licensing Objectives are:
 - The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
3. In carrying out its licensing functions, a licensing authority must also have regard to –
 - a) its licensing statement (policy) published under section 5, and
 - b) any guidance issued by the Secretary of State under section 182.

10.1 Section 18 Licensing Act 2003 states that in determining an application for a premises licence where relevant representations are made the Licensing Authority

must hold a hearing to consider them. Sub section (6) defines a relevant representation as being one which:-

1. is about the likely effect of the grant of the premises licence on promotion of the licensing objectives
2. meets the requirements of sub section (7)
3. If they relate to the identity of the person named in the application as the proposed designated premises supervisor, meets the requirements of sub section (9)
4. is not an excluded representation by virtue of section 32 (restriction on making representations following issue of a provisional statement)

The requirements of sub section (7) are:-

- a) that the representations were made by a responsible authority or “other person” within the prescribed period
- b) that they have not been withdrawn and
- c) in the case of representations made by a person who is not a Responsible Authority, that they are not in the opinion of the licensing authority, frivolous or vexatious.

Section 18(3)(b) states:

“Having regard to the representations, the Committee can take such steps as mentioned in sub section (4) as it considers appropriate for the promotion of the licensing objectives”.

Sub Section (4) goes on to say, “The steps are:-

1. to grant the licence subject to:-
 - a) with conditions consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and
 - b) any condition which must under section 19,20, or 21 be included on the licence.
2. to exclude from the scope of the licence any of the licensable activities, to which the application relates.
3. to refuse to specify a person in the licence as the premises supervisor,
4. to reject the application.”

**10.2 Amended Guidance issued under Section 182 of The Licensing Act 2003:
Paragraph 9.35:**

The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

Paragraph 9.36:

Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

Appendices:

Appendix 1:	Location plan
Appendix 2:	Location of residential properties
Appendix 3:	Application form
Appendix 4:	Current premises licence
Appendix 5:	Specialist noise survey
Appendix 6:	Valid representation objection
Appendix 7:	Valid representation in favour

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The Bell


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Location of residential properties

Appendix 2



The Premises 

Residential properties (including flats) 

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Three Rivers
Application to vary a premises licence
Licensing Act 2003

For help contact
enquiries@threerivers.gov.uk
 Telephone: 01923 776611

* required information

Section 1 of 18

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.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="The Bell Pub"/>
* Street	<input type="text" value="18 High Street"/>
District	<input type="text" value="Bedmond"/>
* City or town	<input type="text" value="Watford"/>
County or administrative area	<input type="text" value="Herts"/>
* Postcode	<input type="text" value="WD5 0QR"/>
* Country	<input type="text" value="United Kingdom"/>

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number	<input type="text" value="PREM/08/05"/>
---------------------------	-----------------------------------------

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	<input type="text" value="the bell public house"/>
Street	<input type="text" value="18 high street"/>
District	<input type="text" value="bedmond abbots langley"/>
City or town	<input type="text" value="watford"/>
County or administrative area	<input type="text" value="herts"/>
Postcode	<input type="text" value="wd5 0qr"/>
Country	<input type="text" value="United Kingdom"/>

Premises Contact Details

Telephone number	<input type="text" value=""/>
------------------	-------------------------------

Non-domestic rateable value of premises (£)	<input type="text" value="10,000"/>
---------------------------------------------	-------------------------------------

Section 3 of 18

VARIATION

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

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 to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

country side style pub on main high street of bedmond village, grade 2 listed building offers food, kid and dog friendly. the variation we propose is to have live music outside during summer months in the early afternoons I would like to remove the no more than 2 musicians/ performers at any one time from our Annex 3 - 1. I would like to hold bands within the pub at weekends that are more than 2 performers within the pub that will be amplified.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Provide 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.

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select 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.

I would like to hold small bands(duos or trios) outside that will be amplified this will mainly consist of a singer and 1-2musicians (guiatars /keyboard/violin). Bands will be place closest to main pub building

State any seasonal variations for the performance of live music

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

Live music from a solo/duo/trio performer during summer afternoons during summers months July& August& September 2pm-4/5pm these will be amplified

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above 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 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

Continued from previous page...

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Section 14 of 18

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.

Provide 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.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

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

State any seasonal variations.

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

mainly on Saturday or Sunday afternoons 2pm- 4/5pm? end july until early september and weather premitting 6/7weeks for outside

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

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

no need it be longer

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

No more than two musical performers are permitted inside the premises at any one time.

No music, live or recorded, is to be played outside the premises.

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

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

Section 16 of 18

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.

All staff are trained and instructed regularly, equipment is regularly checked, and extra steps are always taken

b) The prevention of crime and disorder

CCTV installed within and outside premises, to cover all public areas including all entrances and exits
Signage will be displayed advising that CCTV is in operation
The CCTV system will record clear images of evidential quality and permitting the identification of individuals.
The CCTV recorded footage must be securely retained for a minimum of 28days.
The CCTV system will be operational at all times while the premises is open for licensable activities. All equipment will have a constant and accurate time and date generation.
The CCTV system is fitted with security functions to prevent recordings being tampered with
The toilets shall be checked regularly
The external lights shall be in operation whilst the premises re open to the public
An incident log shall be kept at the premises to record all incidents

c) Public safety

All Staff are trained in fire safety procedures
All fire fighting equipment annually serviced
All Staff are first aid trained

d) The prevention of public nuisance

All staff are trained in asking the patrons to leave quietly
Noise levels will be monitored during any live music in the garden to ensure that no nuisance is caused to neighboring dwellings

e) The protection of children from harm

children shall not be allowed in the premises after 19.00
Children shall not be permitted on the premises at any time unless accompanied by a adult
The premises will operate a Challenge 25 policy for sales of alcohol. Only forms of ID such as photographic driving license,

Continued from previous page...

passport or proof of age card with PASS hologram will be accepted for proof of age. Signage advising the Challenge 25 Policy will be prominently displayed at the premises.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

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 18 of 18

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.

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

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

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

If you own a large premise 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 (£)

190.00

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

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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" value="kirsty johnson"/>
* Capacity	<input type="text" value="director"/>
Date (dd/mm/yyyy)	<input type="text" value="22/05/2024"/>

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/three-rivers/change-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, 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.

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The Licensing Act 2003 Part A Premises Licence

Premises Licence Number

PREM/08/05

Part 1 – Premises Details

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

The Bell
 18 High Street
 Bedmond
 Hertfordshire
 WD5 0QR
Telephone number 01923 262910

Where the licence is time limited the dates Not applicable

Licensable activities authorised by the licence

The Playing of Recorded Music, The Provision of Facilities for Making Music, The Provision of Late Night Refreshment, The Supply of Alcohol

Times the licence authorises the carrying out of licensable activities

The Playing of Recorded Music	Friday and Saturday	11:00 – 23:30
Late Night Refreshment	Monday to Thursday	23:00 – 00:00
	Friday and Saturday	23:00 – 00:30
The Supply of Alcohol	Monday to Thursday	11:00 – 23:30
	Friday and Saturday	11:00 – 00:00
	Sunday	12:00 – 22:30

Non Standard Timings:

To extend by an 30 extra minutes the permitted hours for all licensable activities on the following days:- Burns Night, Valentine’s Day, St David’s Day, St Patrick’s Day, St George’s Day, Good Friday, Easter Saturday and Sunday, Boxing Day and the Saturday preceding each Bank Holiday that falls on a Monday.

New Year: Standard finish time New Year’s Eve to Standard finish time New Year’s Day.

The opening hours of the premises

Monday to Thursday	11:00 – 00:00
Friday and Saturday	11:00 – 00:30
Sunday	12:00 – 23:00

For Non Standard Times: The premises will be allowed to remain open for an extra 30 minutes after the last permitted sale of alcohol.

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

Alcohol is supplied for consumption for both on and off the premises.

State whether access to the premises by children is restricted or prohibited

Restricted

Part 2

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

Kirsty Johnson

The Bell

18 High Street

Bedmond

Hertfordshire

WD5 0QR

Email: [REDACTED]

Mobile: [REDACTED]

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

N/A

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

Kirsty L Johnson

38 Church Hill

Bedmond

Abbots Langley

Hertfordshire

WD5 0RN

Email: [REDACTED]

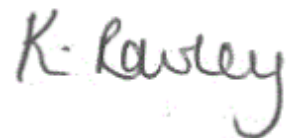
Mobile: [REDACTED]

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

Personal licence number: PSL365/06

Licensing Authority: Three Rivers District Council

Dated 13 March 2024



Signed by Kimberley Rowley
Head of Regulatory Services

Annex 1 – Mandatory Conditions

For the purposes of this schedule

“the act” means the Licensing Act 2003

“Anti-Social Behaviour” has the meaning given in Section 36 of the Anti-Social Behaviour Act 2003;

“Disability” has the meaning given in section 1 of the Disability Discrimination Act 1995;

“Relevant Premises” has the meaning given in paragraphs (a) and (b) of the definition in section 153(4) of the Act (the relevant parts of which are attached to this licence).

Mandatory Condition – s19 of the Licensing Act 2003

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 by person who holds a personal licence.

MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2006 (MANDATORY LICENSING CONDITIONS) ORDER 2010 AS AMENDED BY THE LICENSING ACT 2003 (MANDATORY CONDITIONS) (AMENDMENT) ORDER 2014:

Mandatory Condition 1

(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).

Mandatory Condition 2

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

Mandatory Condition 3

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

Mandatory Condition 4

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.

Mandatory Condition 5

1. 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.
2. For the purposes of the condition set out in paragraph 1 -
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
 - (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(a).
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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

A) General – all four licensing objectives:

The risks associated with the variations have been considered and no further steps are felt necessary to promote the licensing objectives save as below.

B) The Prevention of Crime and Disorder:

- The CCTV installed to remain
- The toilets shall be checked regularly.
- The external lights shall be in operation whilst the premises are open to the public.

C) Public Safety:

- All staff must be trained in fire safety procedures.
- All fire fighting equipment must be serviced annually.

D) The prevention of Public Nuisance:

- Staff must be trained in asking patrons to leave quietly.

E) The Protection of Children From Harm:

- Children shall not be allowed in the premises after 19:00.
- Children shall not be permitted on the premises at any time, unless accompanied by an adult.

Annex 3 - Conditions attached after a hearing by the licensing authority:

Determined on: 23rd November 2005

Decision:

Licence granted in the terms, and for the times, set out above subject to the following conditions:

1. No more than two musical performers are permitted inside the premises at any one time.
2. No music, live or recorded, is to be played outside the premises.
3. Windows and doors are to be closed at 22:00 hours when live music is playing.
4. Staff to ensure that music is not audible on the boundaries with adjoining premises when live music is playing.
5. The beer garden will be closed to all customers at 23:00 hours on all days of the week.
6. Prominent clear and legible notices will be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

Annex 4 – Plans

As per the original application of 28 September 2005, drawing No. 1036-001 of 15 May 2005

Amendments:

09/10/2019 – Transfer of licence and change of DPS from Nicholas Reilly

24/06/2020 – Full variation to add off sales to licence and extend opening hours

07/10/2022 – Resignation of Kirsty Gray as DPS

18/11/2022 – Transfer of licence from John Teahan and appointment of John Teahan as DPS

11/05/2023 – Vary DPS from John Teahan

13/03/2024 – Transfer from Lee O’Sullivan

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The Bell Public House, 18 High Street, WD5 0QR

3rd June 2024

ISSUE 01





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L. Jennings Tec. IOA	03/06/2024	M.Austin I.Eng. MIOA	06/06/2024	Information.
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1.0 INTRODUCTION

DAA Group has been appointed to carry out a Noise Impact Assessment at The Bell Public House, 18 High Street, WD5 0QR to support an Application to vary a Premises Licence Ref: 24/00261/LAPL04 for the Provision of live music.

The purpose of the survey is to ensure that the development does not prejudice the amenities of occupiers of nearby premises.

This report has been carried out in accordance with the provisions of:

- The National Planning Policy Framework, the Noise Policy Statement for England (NPSE)
- The World Health Organisation Guidelines for Community Noise 1999 (WHO)
- Three Rivers District Council Local Plan.

The technical content of this assessment has been provided by a Tech member of the Institute of Acoustics.

The Institute of Acoustics is the UK's professional body for those working in Acoustics, Noise and Vibration.

2.0 NOISE CRITERIA

2.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The Department for Communities and Local Government introduced the National Planning Policy Framework (NPPF) in March 2012. The latest revision of the NPPF is dated March 2021.

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework where local Councils can produce their own local and neighbourhood plans which reflect the needs of their communities.

In conserving and enhancing the natural environment, the planning system should prevent both new and existing development from contributing to, or being put at, unacceptable risk from environmental factors including noise.

Planning policies and decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development. Conditions may be used to mitigate and reduce noise to a minimum so that adverse impacts on health and quality of life are minimised. It must be recognised that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them. Reference is made within NPPF to the Noise Policy Statement for England (NPSE) as published by DEFRA in March 2010.

2.2 NOISE POLICY STATEMENT FOR ENGLAND (NPSE)

The long-term vision of the NPSE is stated within the documents scope, to 'promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development'. The policy aims are stated to:

- avoid significant adverse impacts on health and quality of life;
- mitigate and minimise adverse impacts on health and quality of life; and
- where possible, contribute to the improvement of health and quality of life.

The application of NPSE should mean that noise is properly taken into account at the appropriate time (for example in planning applications or appeals) where it must be considered alongside other relevant issues. The guiding principles of Government policy on sustainable development should be used to assist in the implementation of the NPSE.

The NPSE should apply to all types of noise apart from occupational noise in the workplace. The types of noises defined in the NPSE includes:

- Environmental noise from transportation sources;
- Neighbourhood noise which includes noise arising from within the community; industrial premises, trade and business premises, construction sites and noise in the street

The Noise Policy Statement England (NPSE) outlines observed effect levels relating to the above, as follows:

- **NOEL – No Observed Effect Level**

- o This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

- **LOAEL – Lowest Observed Adverse Effect Level**

- o This is the level above which adverse effects on health and quality of life can be detected.

- **SOAEL – Significant Observed Adverse Effect Level**

- o This is the level above which significant adverse effects on health and quality of life occur.

As stated in The Noise Policy Statement England (NPSE), it is not currently possible to have a single objective based measure that defines SOAEL that is applicable to all sources of noise in all situations. Specific noise levels are not stated within the guidance for this reason, and allow flexibility in the policy until further guidance is available.

2.3 ProPG: PLANNING AND NOISE

As outlined above, the National Planning Policy Framework encourages improved standards of design, although it provides no specific noise levels which should be achieved on site for varying standards of acoustic acceptability, or a prescriptive method for the assessment of noise.

ProPG: Planning and Noise was published in May 2017 in order to encourage better acoustic design for new residential schemes in order to protect future residents from the harmful effects of noise. This guidance can be seen as the missing link between the current NPPF and its predecessor, PPG24 (Planning Policy Guidance 24: Planning and Noise), which provided a prescriptive method for assessing sites for residential development, but without the nuance of 'good acoustic design' as outlined in ProPG.

ProPG allows the assessor to take a holistic approach to consider the site's suitability, taking into consideration numerous design factors which previously may not have been considered alongside the noise level measured on site, for example the orientation of the building in relation to the main source of noise incident upon it.

It should be noted this document is not an official government code of practice, and neither replaces nor provides an authoritative interpretation of the law or government policy, and therefore should be seen as a good practice document only.

2.4 BRITISH STANDARD 4142: 2014+A1:2019

British Standard (BS) 4142:2014 "Methods for rating and assessing industrial and commercial sound" describes methods for assessing the likely effects of sound on premises used for residential purposes.

It includes the assessment of sound from industrial and manufacturing processes, M&E plant and equipment, loading and unloading of goods and materials, and mobile plant/vehicles on the site. It can be used to assess sound from proposed, new, modified or additional industrial/commercial sources, at existing or new premises used for residential purposes.

The method described in BS4142: 2014 use outdoor sound levels to assess the likely effects of sound on people who might be inside or outside a dwelling or premises used for residential purposes upon which sound is incident.

The standard describes methods to measure and determine ambient, background and residual sound levels, and the rating levels of industrial/commercial sound. BS 4142: 2014 requires consideration of the level of uncertainty in the data and associated calculations.

BS 4142 is not intended to be used for the derivation or assessment of internal sound levels, or for the assessment of non-industrial / commercial sources such as recreational activities, motorsport, music and entertainment, shooting grounds, construction and demolition, domestic animals, people, and public address systems for speech.

The Reference Time Interval, T, is defined in the standard as the "specified interval over which the specific sound level is determined", which is 1 hour during the daytime (07:00 to 23:00 hours) and 15 minutes during the night (23:00 to 07:00 hours).

Ambient sound is defined in BS 4142: 2014 as "totally encompassing sound in a given situation at a given time, usually composed of sound from many sources near and far". It comprises the residual sound and the specific sound when present.

Residual sound is defined in BS 4142: 2014 as "ambient sound remaining at the assessment location when the specific sound source is suppressed to such a degree that it does not contribute to the ambient sound".

The background sound level is the LA90, T of the residual sound level, and is the underlying level of sound. Measurements of background sound level should be undertaken at the assessment location where possible or at a comparable location.

The measurement time interval should be sufficient to obtain a representative value (normally not less than 15 minutes) and the monitoring duration should reflect the range of background sound levels across the assessment period. The background sound level used for the assessment should be representative of the period being assessed.

The specific sound level is the LAeq,T of the sound source being assessed over the reference time interval, Tr. BS 4142: 2014 advises that Tr should be 1 hour during the day and 15 minutes at night.

The rating level is the specific sound level plus any adjustment for the characteristics of the sound (tone, impulse, intermittent or other acoustic feature). The standard describes subjective and objective methods to establish the appropriate adjustment. The adjustments for the different features and assessment methods are summarised in the table below.

Acoustic Feature Corrections in BS4142: 2014

Acoustic Feature	Adjustment for Acoustic Feature		
	Subjective Methods	Objective Methods	
Tonality	+2 dB if just perceptible +4 dB if clearly perceptible +6 dB if highly perceptible	Third Octave Analysis	Narrow Band Analysis
		+6 dB if tones identified	Sliding scale of 0 to +6 dB depending on audibility of tone
Impulsivity	+3 dB if just perceptible +6 dB if clearly perceptible +9 dB if highly perceptible	Sliding scale of 0 to +9 dB depending on prominence of impulsive sound	
Intermittency	+ 3 dB if intermittency is readily distinctive	n/a	
Other	+ 3 dB if neither tonal nor impulsive, but otherwise readily distinctive	n/a	

Where tonal and impulsive characters are present in the specific sound within the same reference period then these two corrections can both be taken into account. If one feature is dominant, it might be appropriate to apply a single correction. The rating level is equal to the specific sound level if there are no features present.

The level of impact is assessed by comparing the rating level of the specific sound source with the background sound level. Typically the greater the difference the greater the magnitude of the impact, depending on the context.

Other factors that may require consideration include the absolute level of sound, the character and level of the residual sound compared to the specific sound, and the sensitivity of the receptor and scope for mitigation.

When the rating level is above the background sound level, a difference of around +5 dB is likely to indicate an adverse impact and a difference of around +10 dB or more is likely to indicate a significant adverse impact, depending on the context.

The lower the rating level with respect to the background sound level, the less likely it is that the specific sound source will have an adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

3.0 SITE SURVEYS

3.1 SITE DESCRIPTION

The application site is located on Bedmond High Street. The application site is situated in an area of predominately residential properties, typical of an urban cityscape environment, with the dominant source being road traffic noise from the surrounding roads. (See Figure 3.1)



Figure 3.1 – Site Location

3.2 ENVIRONMENTAL SITE SURVEY PROCEDURE

In order to characterise the sound profile of the area at the closest sensitive receptor (NSR), an environmental sound survey has been carried out from 28 /05/2024 to 30/05/2024. The monitoring position was chosen in order to collect representative sound levels at the NSR and the location of the proposed live music area.

Noise Measurements were carried out free field at the rear of the site nearest the NSR. The monitoring location is shown in Figure 5.2.

3.3 EQUIPMENT

Instrument manufacturer	Rion
Model	NA-28
Serial Number	00501390
Microphone Type	UC-59
Serial Number	14934
Calibrator	NC-74
Serial Number	34504747
Cirrus CK: 675 Outdoor Kit	

All equipment used during the survey was field calibrated at the start and end of the measurement period with a negligible deviation of ≤ 0.5 dB. All sound level meters are calibrated every 24 months and all calibrators are calibrated every 12 months, by a third-party calibration laboratory. All microphones were fitted with a protective windshield for the entire measurements period.

Copies of Calibration certificates are available on request.

3.4 METEOROLOGICAL CONDITIONS

As the environmental noise survey was carried out over a long un-manned period no localized records of weather conditions were taken. However, during the set up and collection of the monitoring equipment, the weather conditions have been documented in the following table. All measurements have been compared with met office weather data of the area, specifically the closest weather station, the data from the weather station is outlined in the table below. When reviewing the time history of the noise measurements, any scenarios that were considered potentially to be affected by the local weather conditions have been omitted. The analysis of the noise data includes statistical and percentile analysis and review of minimum and maximum values, which aids in the preclusion of any periods of undesirable weather conditions. The weather conditions were deemed suitable for the measurement of environmental noise in accordance with BS7445 Description and Measurement of Environmental Noise. The table below presents the average temperature, wind speed and rainfall range for each 24-hour period during the entire measurement.

Weather Conditions – Northolt Weather station				
Time Period	Air Temp (°C)	Rainfall mm/h	Prevailing Wind Direction	Wind Speed (m/s)
28/05/2024 – 00:00 – 23:59	12 - 18	0.0	SW	4 - 8
29/05/2024 – 00:00 – 23:59	13- 19	0.0	WNW	4- 10
30/05/2024 – 00:00 – 23:59	13 - 18	0.0	NNW	7 - 11

Table 3.4 – Weather Summary

4.0 NOISE SURVEY

A summary of the recorded noise measurements are shown below:

	LAeq,15	LAMAX,15	LA90, 15
07:00 – 23.00	50dB	72dB	48dB
23:00 – 07:00	47dB	64dB	42dB

Table 4.1 Background Sound Level Summary Results



5.0 NOISE IMPACT ASSESSMENT

5.1 PROPOSED PLANS

The proposal is to hold small bands (duos or trios) outside that will be amplified. This will mainly consist of a singer and 1-2 musicians (guitars / keyboard/ violin).

The live music will be held during summer afternoons (July/ August/ September).

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The proposed live music hours are as follows:

Saturdays 14:00 – 17:00

Sundays 14:00 – 17:00

We have used the noise level of 90dB for the typical noise level for a robust assessment. This has been derived from measured noise levels of similar applications.

5.2 CLOSEST NOISE SENSITIVE RECEIVER

The closest noise sensitive receiver has been identified as being a residential window located approximately 15metres from the proposed live music area as shown in Figure 5.2.



Figure 5.2 –Nearest Sensitive Receptor

	Measurement Location
	Nearest Sensitive receiver
	Live Music Area

5.3 TYPICAL TARGET NOISE LEVELS

A raft of standards and guideline values for noise are available, however, ultimately each Local Authority sets out its own target noise levels and can vary these according to local circumstances. The text below outlines some common issues and target values for protecting residents from excessive noise impact. However, all guidance documents must be seen in context of how they were developed and what they are trying to achieve.

The World Health Organisation set a series of community noise guidelines 1999 (re-visited and conformed 2018) advising that, during the daytime a guidance level to prevent annoyance is set at $L_{Aeq,16hr}$ 55dB for outdoor living areas, $L_{Aeq,16hr}$ 35dB for indoor living areas during the day/evening, and $L_{Aeq,16hr}$ 30dB for bedrooms at night. It should also be noted that they are only guidance levels and Court decisions have already made clear that noise levels above the WHO guideline values do not mean that a nuisance exists.

Some regulatory authorities employ NR Curves (which rate noise over an octave frequency spectrum) as a benchmark of acceptability. Typically NR25-30 may be used for bedrooms at night, NR Curves are an internal standard and incorporate noise levels over a range of frequencies. In practice (provided there is no strong tonal component) an NR Curve roughly equates to the L_{Aeq} -6dB (ie. NR25-30 = L_{Aeq} 31-36dB). Assuming 15dB attenuation across an open window this equates to an external noise level of L_{Aeq} 46-51dB.

BS8233 recommends a reasonable level of amenity to be provided by internal noise levels of $L_{Aeq, 16h}$ 35-40 within living rooms, and $L_{Aeq, 16h}$ 35dB (daytime) or $L_{Aeq, 8h}$ 30dB (night-time) for sleeping in bedrooms. An internal bedroom L_{Aeq} of 30-35dB equates to an external façade level of 45-50dB(A), assuming a transmission loss of 15dB across an open window.

Note: BS8233 states that levels are based on annual average data and do not have to be achieved in all circumstances. For example, it is normal to exclude occasional events.

BS4142 relates the sound under consideration to the prevailing background noise level (measured as the L_{A90} of the residual noise) and includes character correction penalties to “rate” the level of noise impact. However, BS4142 specifically excludes the assessment of entertainment noise and people; it is therefore not an appropriate standard for this type of assessment.

It is recognised that many of the above target noise levels relate to the impact of steady state sound and not music or voices (which have a character that can make them more intrusive). It is sometimes argued that a character correction penalty (similar to a BS4142) should be applied in these types of situation. However, the scope of most standards are clearly defined; and any amendments to the application of those standards would need to be fully justified.

The IOA Annex expresses numerical limits as shown in Table 5.3.

Venue Where...	Suggested Regulations	Outcome if Criteria Met
Entertainment < 30 times/year*	$L_{Aeq,15mins}$ (EN) should not exceed L_{A90} (WEN) by more than 5dB.	EN will generally be audible but not overly obtrusive inside the noise sensitive property
Entertainment > 30 times/year*	L_{Aeq} (EN) should not exceed L_{A90} (WEN) by more than 5dB And the L_{10} (EN) should not exceed L_{90} (WEN) by more than 5dB in any 1/3 octave band between 40 and 160Hz.	EN will generally be audible but not overly obtrusive inside the noise sensitive property
Entertainment > once/week or continues beyond 2300hrs	L_{Aeq} (EN) should not exceed L_{A90} (WEN) And L_{10} (EN) should not exceed L_{90} (WEN) in any 1/3 octave band between 40 and 160Hz.	EN will be virtually inaudible inside noise sensitive property.

EN = Entertainment noise level, WEN = Representative background noise level without the entertainment noise, both measured 1m from the façade of the noise-sensitive premises.

* Not more than once a week and ends by 2300hrs.

Table 5.3 – Limits suggested in the IOA Annex.

The noise control shall be designed so that the background noise level ($L_{90,15min}$ Linear for the one third octave band levels of 50 to 160 Hz and the overall linear noise level), as measured at one metre outside the nearest affected façade of the nearest affected premises with the amplified music and/or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L_{90} Linear at the same position over any 5minute period, with the music, vocals and current background noise measured together.



5.4 NOISE EMISSION CRITERIA

Summarized below is the calculated noise level to the NSR compared to the noise criteria of BS8233:2014 and BS4142:2014.

Noise Criteria	Time Period	Noise Criterion at Nearest Residential Receiver (dB)	Calculated Noise Level Residential Receiver (dB)
IOA Annex	14:00 – 17:00	<53dB	66dB
Absolute Criteria	14:00 – 17:00	NR35	NR55

Table 5.4 – Calculated Noise Levels

6.0 MITIGATION MEASURES

To reduce the noise emission from the proposed live music an acoustic barrier should be installed. DAA Group recommends a temporary barrier similar to Echo Barrier H10. This type of barrier can achieve up to 42dB noise reduction. See Appendix C for details.

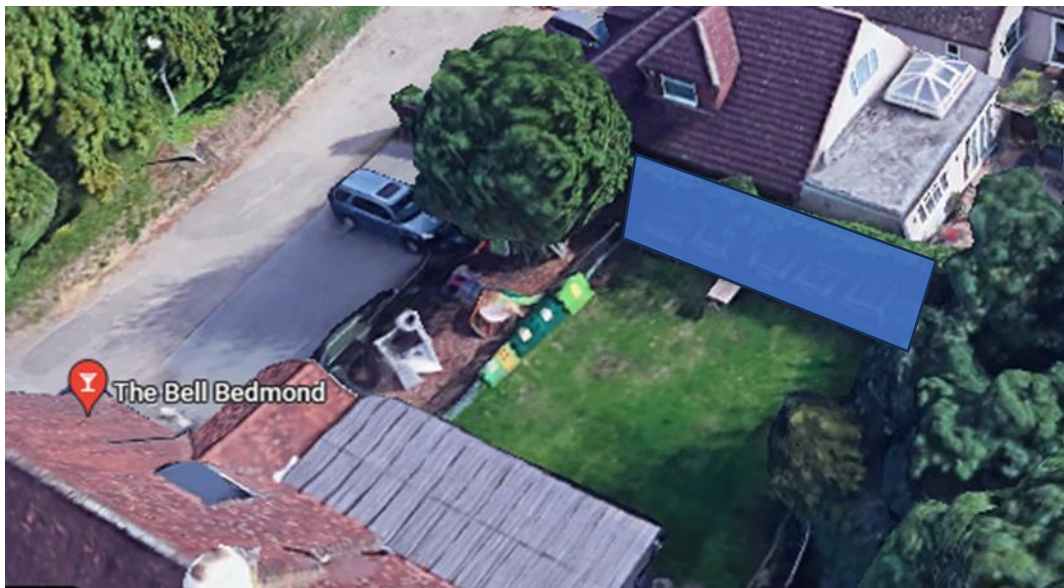


Figure 6.0 – Mitigation Measures – Acoustic Barrier

Noise Criteria	Time Period	Noise Criterion at Nearest Residential Receiver (dB)	Calculated Noise Level Residential Receiver (dB)
IOA Annex	14:00 – 17:00	<53dB	48dB
Absolute Criteria	14:00 – 17:00	NR35	NR33

Table 6.0.1 - Calculated Noise Levels with mitigation

6.1 LOUDSPEAKER LOCATION

The speakers should not be placed in the direction of the Nearest Sensitive receptor. Low frequency sound levels should be controlled. A noise limiter is advised.



7.0 NOISE MANAGEMENT PLAN

A noise management plan should be adhered to, see appendix D for details.

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8.0 SUMMARY AND CONCLUSIONS

DAA Group has been appointed to carry out a Noise Impact Assessment at The Bell Public House, 18 High Street, WD5 0QR. The purpose of the survey was to assess the level of noise emanating from the proposed live music to the nearest residential units and to advise on the level and type of mitigation that will be required.

DAA recommend installing an acoustic barrier in order to minimise any adverse effects to the nearest residential receptor.



APPENDIX A ACOUSTIC TERMINOLOGY

B.1 WEIGHTED DECIBEL, dB(A)

The unit generally used for measuring environmental, traffic or industrial noise is the A-weighted sound pressure level in decibels, denoted dB(A). The weighting is based on the frequency response of the human ear and has been found to correlate well with human subjective reactions to various sounds. An increase or decrease of approximately 10 dB corresponds to a subjective doubling or halving of the loudness of a noise, and a change of 2 to 3 dB is subjectively barely perceptible.

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B.2 EQUIVALENT CONTINUOUS SOUND LEVEL, LAeq

Another index for assessment for overall noise exposure is the equivalent continuous sound level, LAeq. This is a notional steady level which would, over a given period, deliver the same sound energy as the actual time-varying sound over the same period.

B.3 MAXIMUM NOISE LEVEL, LAmx

The maximum noise level identified during a measurement period. Experimental data has shown that the human ear does not generally register the full loudness of transient sound events of less than 125 ms in duration.

B.4 NOISE RATING, NR

Noise ratings are used as a single figure criterion for specifying services noise in buildings. Each noise rating value has an associated spectrum of defined values in each third or octave frequency band. To determine the noise rating of a room the measured spectrum is compared to a set of noise rating curves. The highest NR curve that crosses any single frequency band of the measurement determines the noise rating for the room.

The single figure noise rating is read at the 1 kHz band.

B.5 SOUND LEVEL DIFFERENCE (D)

The sound insulation required between two spaces may be determined by the sound level difference needed between them. A single figure descriptor which characterises a range of frequencies, the weighted sound level difference, D, is sometimes used (BS EN ISO 717-1). This parameter is not adjusted to reference conditions.

The standardized level difference, Dn, T is a measure of the difference in sound level between two rooms, in each frequency band, where the reverberation time in the receiving room has been normalised to 0.5 s. This parameter measures all transmission paths, including flanking paths.

The weighted standardized level difference, DnTw, is a measure of the difference in sound level between two rooms, which characterises a range of frequencies and is normalised to a reference reverberation time

B.6 SOUND REDUCTION INDEX (R)

The sound reduction index (or transmission loss) of a building element is a measure of the loss of sound through the material, i.e. its attenuation properties. It is a property of the component, unlike the sound level difference which is affected by the common area between the rooms and the acoustic of the receiving room. The weighted sound reduction index, Rw, is a single figure description of sound reduction index characterising a range of frequencies, which is defined in BS EN ISO 717-1: 1997. The Rw is calculated from measurements in an acoustic laboratory

B.7 STATISTICAL NOISE LEVELS (LA90, (T) LA1, (T) LA10, (T) etc.)

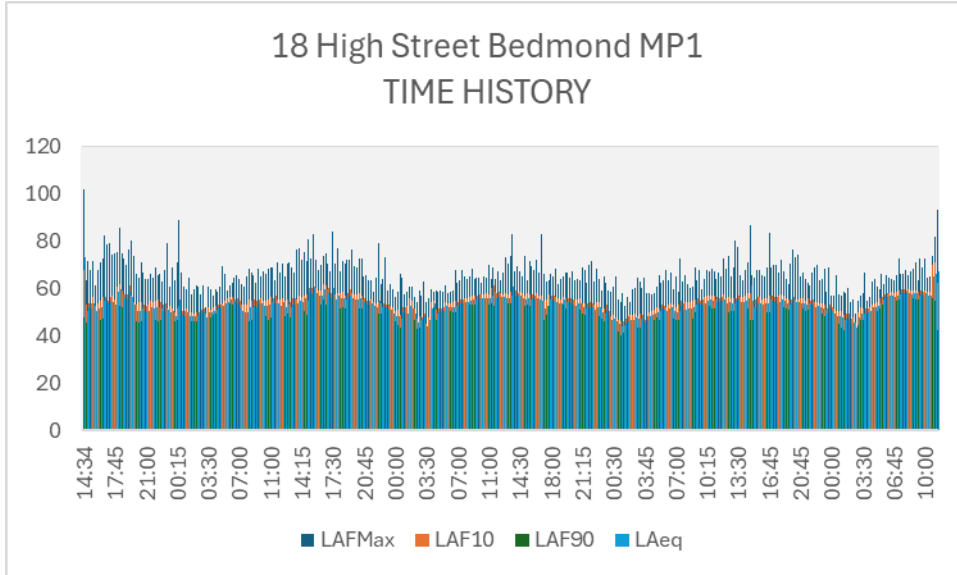
For levels of noise that vary widely with time, for example road traffic noise, it is necessary to employ an index which allows for this variation. The LA10 is the level exceeded for ten per cent of the time under consideration, has historically been adopted in the UK for the assessment of road traffic noise. The LA90 is the level exceeded for ninety per cent of the time, has been adopted to represent the background noise level. The LA1 the level exceeded for one per cent of the time, is representative of the maximum levels recorded during the sample period. A weighted statistical noise levels are denoted LA10, dB LA90, dB. etc. The reference time (T) is normally included, e.g. LA10, (5min), & LA90, (8hr).

B.8 TYPICAL NOISE LEVELS

Typical noise levels are given in the following table.

Noise Level dB(A)	Example
130	Threshold of pain
120	Jet aircraft take-offs at 100 m
110	Chain saw at 1 m
100	Inside disco
90	Heavy lorries at 5 m
80	Kerbside of busy street
70	Loud radio (in typical domestic room)
60	Office or restaurant
50	Domestic fan heaters at 1m
40	Living room
30	Ventilation Noise in Theatre
20	Remote countryside on still night
10	Sound insulated test chamber
0	Threshold of hearing.

APPENDIX B MEASUREMENTS





APPENDIX C – NOISE MANAGEMENT PLAN

1. SITE DESCRIPTION

The site is located at the rear of The Bell Public House.

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The nearest affected residential unit is located approximately 15 metres away. This is considered to be most at risk of noise disturbance from the operations of the premises.

2. INTENDED USE OF THE PREMISES

The proposal is for the introduction of small bands/ live music.

AGREED POLICIES TO CONTROL NOISE

A) INTRODUCTION

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 to local residents and to ensure that any licensing objectives or other controls at the venue are being upheld. This policy sets out the measures which have been considered and will be adopted.

B) GENERAL

Live music is only permitted during Saturday and Sundays in the summer months during the hours of 14:00 – 17:00.

The management shall make available and regularly promote a contact number for local residents to contact the premises to discuss any specific incidents or concerns either during or after events. The contact number will be posted to all nearby residents, and displayed in the window at the front of the premises. The number will be manned at all times and any action taken as a result of the complaint should be recorded and kept.

C) MONITORING

Routine monitoring will be regularly conducted around the perimeter of the premises during opening hours. Details of checks, observations and any actions taken as a result of such shall be recorded. Live music should not be more than 90dB. A noise log book kept on the premises and maintained by management and be available for inspection by the Local Authority upon request.

D) TRAINING

All staff will be fully trained to be aware of the requirements to reduce external impact from noise. All staff will be made fully aware and conversant with the noise management policy and procedures.

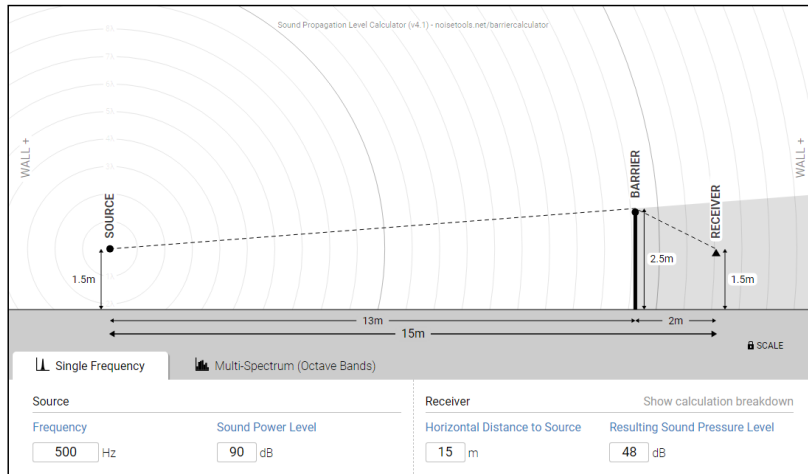
E) PROVISION OF INFORMATION

Notices will inform customers of our commitment to local concerns.

L) PROCEDURAL

The noise management plan will be reviewed at least annually or as agreed appropriate to ensure that it is streamlined and effective. New and innovative approaches to problem solving or incidents and any lessons learnt will be incorporated accordingly. We should consider this a live document which evolves by experience in agreement with the Authority

APPENDIX D - CALCULATIONS





ECHO BARRIER®

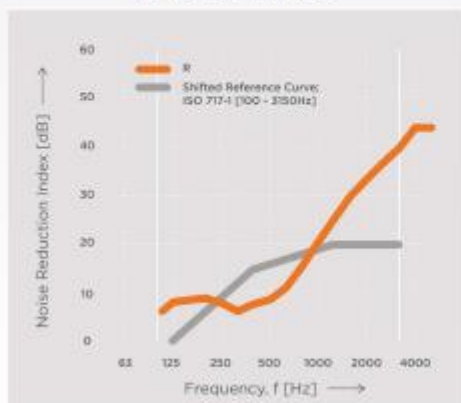
Environmentally Sound

H10™ Acoustic Barrier

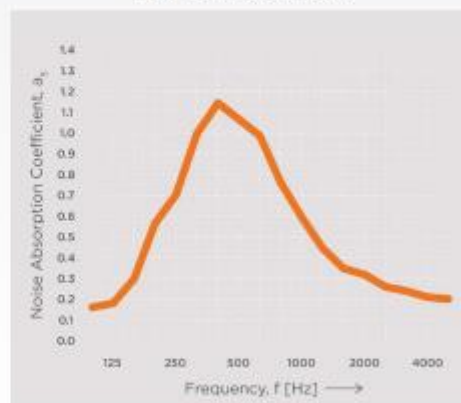
The Echo Barrier H10™ offers the ultimate in all-round performance, complementing exceptional noise absorption (100%) and unrivalled noise reduction (43.4dB) with portability, durability, and versatility. Impressively resistant to water and to extremes of temperature, the Echo Barrier H10™ rises to a multitude of challenges, such as those posed by rugged or humid environments. ASTM E84 tests for flame spread and smoke development indicate its suitability for projects subject to highly stringent fire regulations.



NOISE REDUCTION



NOISE ABSORPTION



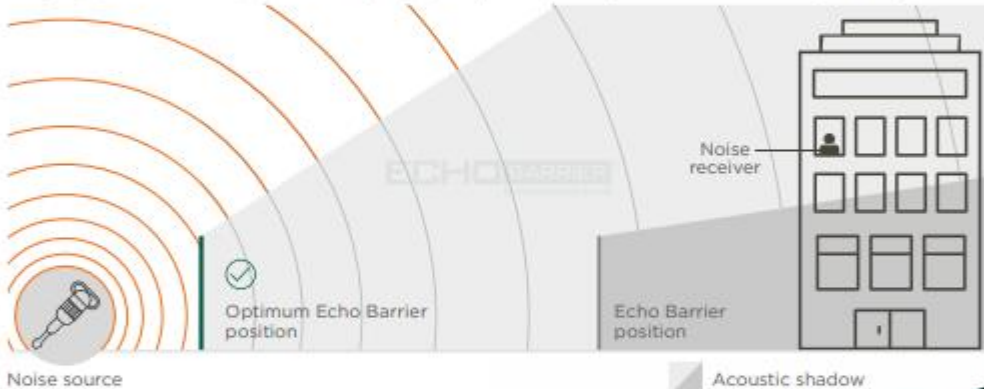
H10™ Acoustic Barrier

Max Noise Reduction (Lab Tested)*	43.4 dB
Max Noise Absorption (Lab Tested)*	100%
Height	2050 mm (6 ft 9 in)
Width	1335 mm (4 ft 5 in)
Rolled dimensions	400 mm (1 ft 4 in) diameter, 1335 mm (4 ft 5 in) wide
Weight	6.3 kg (14 lb)
Water resistant test standard*	BSEN 60529:1992 IPX6 / IPX9
Fire resistant test standard*	BS 7837-1996, ASTM E84
Dust resistant test standard*	BSEN 60529-1992
Cold resistant test standard (result)*	BSEN 60068/2/1:2007 (-40 °C/F)
Tensile test standard (result)*	ISO 17025 (5.52 kN vertical, 1.34 kN horizontal)
UV resistant	3 years (USA + Canada), 5 years (rest of the world)
Safety features	Two night-time reflective strips, hazard icons
Quick install	1 person in 30 seconds with installation kits, rollable
Installation kits	Yes
Anti-theft	Security cable, Data tag
Cleaning	Power wash
Identification code part number	Unique RFID number per each unit
Manufacturer's warranty	2 years
Colour options	On request

* Full independent laboratory results can be obtained on request to info@echobarrier.com

Effective installation

The lightweight Echo Barriers enable placement versatility along a jobsite's perimeter or directly in front of the noise source for optimum mitigation.



What makes our acoustic barriers so effective?



Front outer layer

Extremely durable, high-quality waterproof PVC, of optimum mass to achieve maximum noise mitigation, also offering an impressive visual finish.



Noise-absorbent composite

The heart of the panel: Echo Barrier's lightweight, but highly noise-absorbent composite. At certain frequencies it absorbs 100% of noise.



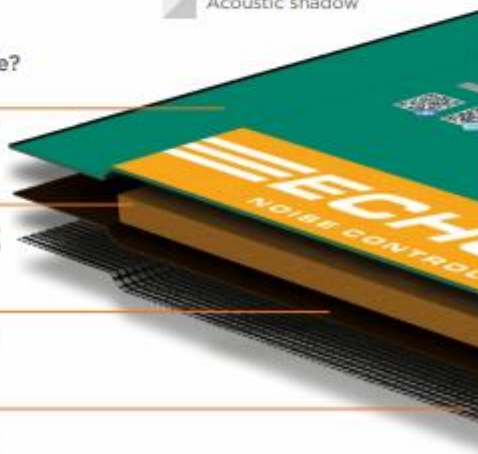
Waterproof breathable membrane

The membrane lets in sound, so that it can be absorbed by the composite, but keeps water out.



Durable reinforced mesh

The mesh protects the panel in tough working environments without compromising its acoustic performance.



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Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 05/06/2024 2:47 PM from Mrs Lynn Brunt.

Application Summary

Address: The Bell Public House 18 High Street Bedmond Abbots Langley Hertfordshire
WD5 0QR

Proposal: Full Variation

Case Officer: Alexandra Reynolds

[Click for further information](#)

Customer Details

Name: [REDACTED]

Email: [REDACTED]

Address: [REDACTED]

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment: - Prevention of public nuisance

Comments: 05/06/2024 2:47 PM Myself and my husband object to this application. We live next door but one to the Bell Pub and our summers are always blighted by the noise from the garden of the pub.
Previous years before the application was made the licensee held several events in the pub garden with amplified music and disgraceful foul language that they did not have any permission for and had to be stopped from holding owing to the volume of the music and breaking their licence conditions. The residents living close to the Bell pub deserve their bit of summer too. To have amplified music in the pub garden will ruin our enjoyment of our gardens which is already spoilt by the noise from their customers who get quite rowdy at times not caring about the volume of noise they make. The Bell Pub has not shown regard for licence conditions in the past and should not be rewarded with this variation to the detriment of local residents who should also be able to enjoy their gardens during summer afternoons.

Kind regards

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Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10/06/2024 1:46 PM from Mrs Emma Sanderson.

Application Summary

Address:	The Bell Public House 18 High Street Bedmond Abbots Langley Hertfordshire WD5 0QR
Proposal:	Full Variation
Case Officer:	Alexandra Reynolds

[Click for further information](#)

Customer Details

Name: [REDACTED]

Email: [REDACTED]

Address: [REDACTED]

Comments Details

Commenter
Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for
comment:

Comments: 10/06/2024 1:46 PM The Bell Public House lies at the centre of the community for residents in Bedmond and has been an integral part of the village for hundreds of years. Since being under new management the pub has transformed into a beautifully presented, family friendly hub which this application only looks to uphold.

The application is limited to three summer months; the hours proposed are reasonable and take into account weekend mornings, early afternoons and evenings for neighbouring residents. In addition, the no children after 19:00 policy also takes this consideration into account.

The Bell pub is managed well, the application has taken into account adjoining residents right to peaceful enjoyment but without stifling the one public house left and community who frequent it. We therefore fully support this application.

Kind regards