LICENSING SUB COMMITTEE
25 November 2026 at 14:00
at Three Rivers House, Northway, Rickmansworth, Herts, WD3 1RL

Applicant: Dr Joe Bhat
Application Premises: The Bank
Application address: 3-5 Station Approach, Chorleywood, Hertfordshire, WD3 5NE
Type of Application / Reference: Full Variation / 26/00612/LAPL04
Date of Application: 21 October 2026
Date by which a hearing must be commenced: Consultation End date 30 October 2026
Valid application made: Yes

1. Summary of premises and surroundings:

The premises 3-5 Station Approach ("the premises") contains a single storey flat roofed building (No.3) and a semi-detached two storey building (No.4 and 5) located on Station Approach, Chorleywood, positioned opposite Chorleywood Train Station.

The location of the premises is shown at **Appendix 1**. Station Approach is made up of some commercial units, offices which includes a Taxi office and residential flats to the side and rear of the premises and is located opposite Chorleywood train station.

A map showing the approximate location of residential properties in the immediate area is attached at **Appendix 2**. This has been produced using information provided from Land and Property, Electoral Role and the Planning department.

2. Summary of application sought:

This application has been submitted to **vary the premises licence** to increase the permitted hours for the following licensable activities:-

Current Activities	Current timings	Variation applied for
Live music Indoors Only	Friday to Sunday 08:00 – 23:00 New Year Eve 23:00 – 01:00	Sunday to Thursday 09:00 – 23:30 Friday and Saturday 09:00 – 00:30
Playing of Recorded music Indoors only	Sunday to Thursday 08:00 – 23:00 Friday & Saturday 08:00 – 23:00	Sunday to Thursday 09:00 – 23:30 Friday and Saturday 09:00 – 00:30
Opening Hours Sunday – Thursday Friday and Saturday	 09:00 – 00:00 09:00 – 01:00	 UNCHANGED

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

It should be noted that a premises licence is not required to stage a performance of live music or the playing of recorded music if:

- It takes place between 08:00 and 23:00; and
- It takes place at an alcohol on-licensed premises; and
- The audience is no more than 500 people

The applicant states that the hours requested are to complement the existing allowance of Live Music that are permitted until 23:00. The additional hours are intended to be used primarily for special events, celebrations and functions and not on a regular basis.
The application is to extend the licensable hours for live and recorded music to 23:30 Sunday to Thursday and 00:30 Friday and Saturday

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 promote the four licensing objectives which can be viewed at **Appendix 4**. These include:

- All live and recorded music shall cease at the permitted hour authorised by this licence.
- The volume of amplified music shall be controlled so as to minimise noise breakout from the premises.
- When amplified music is provided after 23:00, a member of staff shall carry out and record noise monitoring checks at least once every 30 minutes at the side and rear boundaries of the premises nearest to residential properties.
- Where noise from the premises is found to be clearly audible at the monitoring locations and is likely to cause disturbance to nearby residents, immediate steps shall be taken to reduce the volume of the music.
- A written record of all noise monitoring checks shall be maintained and made available for inspection by an authorised officer of the licensing authority or police upon request.
- A complaints log shall be kept at the premises recording any complaints relating to noise from the premises, the date and time of the complaint, and the action taken in response. The log shall be made available for inspection by an authorised officer upon request.
- Any amplification equipment used for live or recorded music shall be operated through a sound management system or controlled by designated staff members to ensure music levels remain appropriate having regard to nearby residential properties.

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:** [No objection]

2) **Planning:** [No objection]

3) **Hertfordshire Fire & Rescue Service:** [No objection]
Please be advised that this Authority has no objections to the premises licence

4) **Public Health**: [No objection]

Hertfordshire County Council Public Health has no representations against this application.

5) Police: [No objection]

Other Persons:

1 x objection from Chorleywood Parish Council
9 x public objections

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
  - Concern with the proposed extension of timings for live and recorded music of the restaurant, due to the location of the premises which is located in an elevated position, surrounded by residential properties, the noise from the restaurant will cause disturbance and harm to the residents in nearby properties.
- The protection of children from harm: n/a

The valid representations are attached at **Appendix 5**.

Other comments received: None

The Police and Environmental Health department at the council have provided details of reports and complaints made attached at **Appendix 6** and **Appendix 7.**

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 <u>Amended Guidance issued under Section 182 of The Licensing Act 2003:</u>
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.

<u>Appendices:</u>

Appendix 1:	**Location plan**
Appendix 2:	**Location of residential properties**
Appendix 3:	**Application form**
Appendix 4:	**Operating schedule**
Appendix 5:	**Valid representation**
Appendix 6:	**Reports to Police**
Appendix 7:	**Reports to Environmental Health (TRDC)**