

Decision Notice – Licensing Review Hearing

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| MEMBERS PRESENT: | Councillor J Baugh (Chairman) Councillor Mrs J Beavis Councillor A Hensman |
| PREMISES: | The Hare and Hounds Public House 104 High Garrett Braintree Essex CM7 5NT |
| PREMISES LICENCE HOLDER | MWC Pubs Limited |
| APPLICANT: | Braintree District Council – Environmental Health Department |
| DATE OF HEARING: | Wednesday, 15th December 2021 and Thursday, 16th December 2021 |
| DATE OF NOTICE: | Wednesday, 22nd December 2021 |

The Licensing Sub-Committee has considered the application by the Responsible Authority Braintree District Council – Environmental Health Department for a review of the Premises Licence for The Hare and Hounds Public House, 104 High Garrett, Braintree, Essex CM7 5NT and it has considered the representations made by the Responsible Authority Braintree District Council – Health and Safety, the Responsible Authority Braintree District Council – Licensing, interested parties and other correspondents.

The Licensing Sub-Committee has read the material presented to it and has considered all the evidence and submissions.

In considering the provisions of Section 52 of the Licensing Act 2003, the Statutory Guidance issued under Section 182 of the Licensing Act 2003 (issued April 2018) and Braintree District Council's Licensing Policy, the Licensing Sub-Committee has decided to **MODIFY THE CONDITIONS OF THE PREMISES LICENCE** for the above premises as set out below:-

1. The Live Music Act 2012 exemption to be removed in accordance with Section 177A of the Licensing Act 2003 and a statement added to the Premises Licence pursuant to s.177A(3) to state that this section does not apply to it.

For the avoidance of doubt, where the Premises Licence includes regulated entertainment indoors this does not include outbuildings or other structures, whether temporary or permanent, present within the premises outside.

2. One event (live or recorded music or sporting event) may be held per calendar month in the garden area within the Licenced Premises as

delineated on the Plan to the Licence (coloured green on the supplemental plan) for no more than one day in duration, terminating at 21:00hrs.

3. Save for those events permitted in the garden area under Condition 2 above, there shall be no regulated entertainment or other activities, including use of TV's, exhibition of film, theatrical performances, sporting events or similar in the garden area or outdoor area of the premises at any time – including arising from within any outbuildings or other structures, whether temporary or permanent, present within the premises outside.
4. The garden area may only be open for use by customers between 11:00hrs and 23:00hrs every day. Outside of those times the Designated Premises Supervisor or the Premises Licence Holder is responsible for ensuring that there is no use of the garden area. Any empty glasses, plates, etc must be removed from the garden by 23:30hrs.
5. Background recorded music to be allowed in the garden area up to 22:00hrs through a noise limiter which will be set at a level agreed by Braintree District Council (Environmental Health) at the nearest noise sensitive receptor. The limiter will be serviced annually. The relevant certificate of service shall be provided to Braintree District Council within 21 working days of the service.
6. After the close of the garden area each day, the use of any smoking shelters or areas in those locations is prohibited and customers should make use of the car park, or the front of the Premises instead.
7. During any performance of live music indoors the doors and windows must be kept closed at all times, other than for access or egress, or where COVID-19 related measures necessitate ventilation in such manner.

Where doors or windows are required to be open for COVID-19 related measures, only doors and windows at the front of the premises shall be open.

8. To assist with the management of the garden area use, numbers of guests, control of customers and ensuring that doors and windows remain closed, SIA registered door staff shall be in place at all times when an event, of any type, is taking place from 18:00hrs until close and ensure that all customers have left the Premises.
9. Where an event is planned where the total capacity within the curtilage of the Premises at any one time may exceed a total capacity of 400 patrons an Event Safety Management Plan (EMP)

must be submitted to the Licensing Authority and to the Police no later than 8 weeks prior to the event.

As a minimum requirement this should include but not be limited to:

- (i) Overview of event
- (ii) Traffic Management Plan
- (iii) Emergency Plan
- (iv) Detailed Site Plan

10. The Premises Licence Holder or an appointed representative with responsibility for the control of the event will also attend a Safety Advisory Group (SAG) meeting if requested to do so and the Event Safety Management Plan will include any other such matters that the SAG deem necessary to meet the licensing objectives for that particular event.
11. Where the Licensing Authority or a Safety Advisory Group declares the final version of the EMP as unsatisfactory and specifies that it considers that one or more of the licensing objectives is likely to be undermined the event shall not be permitted to go ahead.
12. Where the final version of the EMP is approved, this must be complied with and no changes may be made to it without the prior written consent of the Licensing Authority.
13. At all times during any event which exceeds 400 capacity drinks may only be served in polycarbonate/plastic or toughened glass containers.
14. The Premises Licence Holder to provide a plan to supplement the existing Premises Licence Plan (No. 21/00333/LADPS/LA B11/158) (Annex 4 of the Licence), which meets the requirements of the provisions of the Licensing Act 2003 (Premises Licence and Club Premises Certificate) Regulations and to show the following:
 - a) The curtilage for the Hare and Hounds Public House, including the boundaries with the highway and neighbouring properties and to include features such as the car parking area and land outside of the Premises Licence and any building/structures.
 - b) The red line of the Premises Licence (as shown on the Premises Licence plan) indicating the licensable area.
 - c) Within the red line of the Premises Licence, the following to be clearly defined:

- (i) The part of the Premises which is “indoors” to be shaded pink
 - (ii) The “garden area” to be shaded in green
 - (iii) The areas within the Licensed Premises used for each licensable activity
 - (iv) The fixed structures within
- d) The outside area (that part of the property which is not covered by the Premises Licence) to be shaded in blue.
- e) The Supplemental Plan to be provided to the Licensing Authority within 20 working days of this Decision Notice.

Reasons for Decision

Preliminary Note:

The Licensing Hearing was due to commence at 10.00am. However, it was agreed to adjourn the start of the Hearing to 1.00pm on 15th December 2021 to allow discussions between Representatives for the Applicant and the Premises Licence Holder.

Prior to the commencement of the Hearing the Representative for the Applicant (Ms Alison Lambert) and the Representative for the Premises Licence Holder (Mr David Dadds) both indicated that they wished to meet to establish any points of agreement and points where there was no agreement. The Licensing Sub-Committee agreed to adjourn the start of the Hearing to facilitate these discussions.

During the period of adjournment, and following the discussion with the Applicant, the Representative for the Premises Licence Holder met with the Representatives of the Responsible Authorities for Health and Safety (Mrs Lisa LeBesque) and the Licensing Authority (Mr John Meddings).

At the conclusion of the discussion, a note was prepared for the Licensing Sub-Committee which outlined conditions which were sought by the Applicant and agreed by the Representative for the Premises Licence Holder. The note also set out where there was no agreement and the alternative proposed by the Premises Licence Holder. For completeness this note is attached to this Decision Notice but does not form part of the Decision.

The Hearing commenced at 1.15pm on 15th December 2021 and concluded at 5.10pm on 16th December 2021. Members retired for their deliberations and advised that their decision would be issued within five working days.

Reasons for Decision:

The Licensing Sub-Committee is required to consider the application for the review of the Premises Licence as submitted in accordance with Section 52 of the Licensing Act 2003.

The Licensing Sub-Committee has had regard to the Statutory Guidance issued under Section 182 of the Licensing Act 2003 (April 2018).

Paragraphs 9.42 and 9.43 of the Statutory Guidance state that Licensing Authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives; each application for a review of a Premises Licence must be considered on a case by case basis and that representations submitted by the Applicant, Responsible Authorities, other persons and the Premises Licence Holder should be taken into account.

In addition, paragraph 9.44 of the Statutory Guidance states that the determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. The Licensing Authority should consider wider issues such as other conditions already in place to mitigate a potential negative impact on the promotion of the licensing objectives and the track record of the business.

The decision of a Licensing Authority should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what is intended to be achieved. The imposition of standard conditions should be avoided and may be unlawful where it cannot be shown that they are appropriate for the promotion of the licensing objectives in an individual case.

In considering this application for a review of the Premises Licence, the Licensing Sub-Committee has had regard to the application and the submissions made at the Hearing by the Premises Licence Holder, the Applicant, the Responsible Authority Braintree District Council – Health and Safety, the Responsible Authority Braintree District Council – Licensing, and two of the interested parties who had submitted representations.

The Licensing Sub-Committee has also had regard to the written representations submitted by all other objectors which were based upon the licensing objective of the prevention of public nuisance, and the representations submitted at the Hearing on behalf of the Premises Licence Holder as information which they sought to rely upon.

The Licensing Sub-Committee received limited written documentation from the Premises Licence Holder in response to the application for the review. The Premises Licence Holder's written documentation was confined to 34 letters of support all dated 14th December 2021. 21 of those letters were signatures to a pro-forma letter provided by the Premises Licence Holder. None of the authors of the 13 individual letters or the signatories to the 21 pro-forma letters had submitted representations during the statutory

consultation period and they did not attend the Hearing. The Licensing Sub-Committee has considered the contents of these 34 letters in support. However, the Licensing Sub-Committee attaches minimal weight to these representations in respect of providing evidence as to the operation of the Premises Licence.

The Licensing Sub-Committee noted that the objections were based in the main on the licensing objective of the prevention of public nuisance and that the main thread of the objections to the application related to concerns about a potential noise nuisance emanating from the Premises and the behaviour of customers attending the Premises.

It is noted by the Licensing Sub-Committee that the substantive cause of the review was the use of the part of the Premises which is the garden area. The review was also concerned with the “outside area” within the curtilage of the property, which does not form part of the garden area and licensable area.

The objectors stated that the venue was in close proximity to residential properties in the vicinity of High Garrett, namely High Garrett, Grove Field and Sunnyfields Road and, as such, the playing of live and recorded music was not acceptable, or appropriate. The objectors considered that this had the potential to create excessive noise and disturbance to local residents. Furthermore, as the venue was surrounded by flat, open countryside with few hedges, trees or any rising ground to absorb sound, the objectors considered that the use would have a detrimental impact on the peace and tranquillity of the area and the enjoyment of their homes.

The Licensing Sub-Committee was reminded that the licensing objective is for the prevention of public nuisance and not private nuisance and that it is for them to decide how much weight is attached to the written representations of those who have not attended the Licensing Hearing. The Licensing Sub-Committee has had regard to the Statutory Guidance paragraph 11.9 that representations must be made in writing and may be amplified at the subsequent Hearing or may stand in their own right. All the representations which included complaints against the Premises in respect of noise, whilst not specific on dates, describe a variety of behaviours and also draw attention to a number of occasions when noise emanating from the Premises undermined the licensing objective of the prevention of public nuisance.

Representatives for both the Applicant and the Premises Licence Holder have directed the Sub-Committee to the wording contained in the Statutory Guidance in particular paragraph 2.16 of the Statutory Guidance (April 2018) – set out below and the case law which provides the common law definition of public nuisance, namely *Attorney General v PYA Quarries and R (on the application of Hope & Glory Public House Ltd) v City of Westminster Magistrates’ Court*.

2.16 *Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health*

The Licensing Sub-Committee is mindful of the case law which advises that:

a public nuisance could be one which materially affected the reasonable comfort or convenience of a class of Her Majesty's subjects. What constitutes a 'class' of people within a neighbourhood depends on the facts of any particular case and it is impossible to define the precise number of individuals necessarily effected for them to be considered a 'class'. Neither do all individuals within the class have to be personally affected by the nuisance, as long as a representative cross section have been so effected. Public nuisance did not need to be very indiscriminate or widespread to amount to a public nuisance; it simply needed to be sufficiently widespread and sufficiently indiscriminate to amount to more than a private nuisance.

Whilst at the Hearing the Licensing Sub-Committee heard from two residents in person, albeit that one has since moved from the immediate area. 19 other residents and one of the District Councillors for the Bocking North Ward (Councillor David Mann), which includes High Garrett, made written representations to the application for the review. The Licensing Sub-Committee has given appropriate weight to these representations as they corroborate the basis upon which the application for review was brought.

The Licensing Sub-Committee is mindful of the location of the Hare and Hounds Public House. High Garrett is principally a linear settlement. The Hare and Hounds fronts onto the highway, High Garrett (A131), and is neighboured on one side by a garage and residential properties on the other. It occupies a generous plot which includes a rear garden with outbuildings and a parking area. There are no residential properties to the front or rear of the Premises. It is a rural location with open countryside/farmland to the front and rear.

Representations have been made by the immediate neighbours. However, the Licensing Sub-Committee is mindful of the other representations received from residents living further away from the Premises in Sunnyfields Road, Grove Field and High Garrett. The Licensing Sub-Committee has also listened to the recordings which were provided by the Applicant of the noise emanating from the Premises. It is accepted that these recordings were made at the nearest residential properties and were

made by Officers of the Council in response to noise nuisance complaints. The Licensing Sub-Committee acknowledges that the value of the recordings is to assess the nature of the noise emanating from the Premises and not to make an assessment of the volume.

The Licensing Sub-Committee is satisfied that the representations received demonstrate that a class of subjects has been affected by the noise emanating from the garden area of the Premises so as to engage the licensing objective of the prevention of public nuisance.

During the Hearing the Premises Licence Holder advised that events which took place in the garden area around the summer period of 2021 were in response to the Covid Pandemic and the Government's encouragement for outside spaces to be used for hospitality. The Premises Licence Holder advised that these activities were limited and would not be the future regular events at the Premises.

The Premises Licence Holder acknowledged that the events which took place in the summer of 2021, particularly those events for the European Football Championship 2020, did exceed their expectations on attendance. The Premises Licence Holder acknowledged also that those who had attended were highly spirited which was the cause of concern to the residents.

The Premises Licence Holder referred to the Hare and Hounds' previous reputation as a food led premises and this is how he intended to proceed in the future, referring to the recent refurbishment of the Premises including the investment in the kitchen. A new chef had also been appointed. The Premises Licence Holder stated that they wished to provide a high-end experience and to not be an "events" premises, stating that they did not wish to be a "town centre" events premises and they were not interested in party nights and raves. However, the Premises Licence Holder wished to be able to have one event per month ceasing at 21:00hrs.

The Licensing Sub-Committee notes from the application and the representations received that the last complaint relating to noise emanating from the Premises was on 25th September 2021 and from that date no further complaints appear to have been made either directly to the Premises Licence Holder or to the Responsible Authorities.

The Licensing Sub-Committee considered that the responses by the Premises Licence Holder to the concerns of the local residents, particularly in social media and from the signage which he chose to display at the Premises was at times unwise and lacking judgement and not what they would expect from a responsible Premises Licence Holder who is responsible for promoting the licensing objectives.

However, the Licensing Sub-Committee has noted that in moving forward in order to promote the licensing objectives, the Premises Licence Holder has offered to meet with residents to discuss the best way forward and to alleviate concerns. The Premises Licence Holder indicated that he would provide a contact telephone number so that residents could contact the

Premises should they have concerns regarding the use of the Premises and any noise issues.

Notwithstanding the Premises Licence Holder's and the Applicant's agreement that the Live Music Act exemption should be removed from the Premises Licence, the Licensing Sub-Committee considered whether this was indeed appropriate for the promotion of the licensing objectives. The Licensing Sub-Committee, having regard to all the information available to it, agreed that in order to promote the licensing objectives, provisions were required within the Premises Licence to manage regulated entertainment and that therefore the exemption should be removed. The incidents which have been reported regarding the management of the Premises and the difficulties experienced by the residents and the Premises Licence Holder during summer 2021 have persuaded Members that there need to be conditions on the Premises Licence to protect the local residents and to enable the Premises to operate in a manner consistent with the promotion of the licensing objectives.

In response to questions regarding the conditions which the parties had prepared and the use of noise limiters, the Premises Licence Holder offered to control and monitor noise levels in the garden area by installing a noise limiter which would be set at a level agreed by Braintree District Council at the nearest noise sensitive receptor. The Licensing Sub-Committee was reassured by the description given of the noise limiter system and the security to prevent it from being tampered with once set at an agreed level.

In response to questions regarding the use of lights in the garden area, the Premises Licence Holder advised that all non-essential lights would be switched off at the time when the garden is cleared of all items at 23:30hrs. Only security lighting would remain on. The Licensing Sub-Committee was content with this response as to the management of the lights in relation to the neighbouring properties.

In response to questions from the Licensing Sub-Committee in respect of the threshold number for triggering an Events Safety Management Plan, the Premises Licence Holder agreed to reduce that figure from 499 to 400 patrons.

Having regard to the application and relevant representations, the Licensing Sub-Committee was required to take such steps which it considered appropriate to promote the licensing objectives. These steps were to modify the Conditions of the Licence; to exclude a licensable activity from the scope of the Licence; to remove the Designated Premises Supervisor from the Licence; to suspend the Licence for a period not exceeding three months; or to revoke the Licence.

In considering the application, the Licensing Sub-Committee did not consider it appropriate to exclude a licensable activity from the Licence, or to suspend, or revoke the Licence. The Licensing Sub-Committee considers that in order to promote the licensing objectives, the conditions of the Premises Licence require modification.

The Licensing Sub-Committee has had regard to the schedule of conditions which the Applicant and the Premises Licence Holder's Representatives, together with the Responsible Authorities for Health and Safety and Licensing had sought to agree prior to the commencement of the Hearing. The Licensing Sub-Committee has taken these conditions as a reference point as to what could be acceptable as conditions in order to promote the licensing objectives. The Licensing Sub-Committee has considered the proportionality of the conditions and what they seek to achieve in terms of promoting the licensing objectives, the burden on the Premises Licence Holder and how he proposes to operate the Premises going forward as advised during the Hearing.

It is noted by the Licensing Sub-Committee that it is the intention of the Premises Licence Holder to vary the Designated Premises Supervisor, removing Mr Campbell and replacing him with the current Manager of the Premises and that this application would be made within seven days of the Hearing.

When considering the application for the review, both the Applicant and the Premises Licence Holder agreed that there was a need to have a clear plan of the Licensed Premises, including the garden area which is subject to the provisions of the Premises Licence and the outside areas which are not.

The Licensing Sub-Committee considers that it is appropriate that there is a detailed plan to assist with the interpretation of the Premises Licence and the licensable activities and those parts of the Premises (referred to as the outside area) which are to be used in association with licensable activities but are outside of the Premises Licence. A supplemental plan would give certainty to the areas of the Premises covered by the Premises Licence and its conditions.

The Licensing Sub-Committee is mindful of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which set out the requirements for plans (Regulation 23).

The Sub-Committee considered the likely effect of the amended Premises Licence on those who had made representations and on the Premises itself. However, from the explanation given at the Hearing by the Premises Licence Holder as to how the Premises would be operated, the proposed dialogue with local residents, and the measures offered to deal with any issues of noise nuisance, it was considered that these were sufficiently robust to ensure that the licensing objectives would not be undermined and that the concerns of those who had made representations would be addressed.

In terms of the duration of the one event which may be held per calendar month in the garden area of the Licensed Premises, the Licensing Sub-Committee considered that this should last for no more than one day. The Licensing Sub-Committee has reached this decision in light of the Premises Licence Holder advising and agreeing that the event would terminate at 21:00hrs and that it was their intention to only hold one event per month.

In light of the Premises Licence Holder's agreement to reduce the threshold figure to trigger an Events Safety Management Plan, the Licensing Sub-Committee has considered it appropriate to reduce the capacity figure to 400 patrons. Therefore the condition for the service of drinks in polycarbonate/plastic or toughened glass containers should also be subject to the same trigger threshold. This is to give consistency to the conditions and to remove any ambiguity as to the trigger limits.

The Licensing Sub-Committee would encourage the Premises Licence Holder and/or the Designed Premises Supervisor to engage with local residents to seek to resolve concerns as to how the Premises operates. The Licensing Sub-Committee would also strongly encourage early engagement with the local residents and the Responsible Authorities when planning events, not just those held in accordance with the Premises Licence, but also including any event proposed utilising Temporary Event Notices procedures.

There are a number of issues set out in the representations which the Licensing Sub-Committee is unable to address. It was noted that traffic issues relating to the Premises were not within the jurisdiction of the Licensing Sub-Committee and were a matter for the Highways Authority. A number of representations referred to inconsiderate parking, parking on the highway and individuals driving in an aggressive manner. Furthermore, concerns were raised in respect of public urination, litter, the use of a caravan and employment matters. These are not matters which the Licensing Sub-Committee can resolve. However, going forward, where events take place, the parking of vehicles, the provision of appropriate public toilet facilities and litter management would be matters to be considered by the Safety Advisory Group under the Event Safety Management Plan.

End of Decision.

The decision of the Licensing Sub-Committee in respect of this review does not have effect until the period given for appealing against the decision has expired, or if the decision is appealed against, until the appeal is disposed of.

The appeal period is 21 days from the date of the Decision Notice.

If no appeal is made, the decision of the Licensing Sub-Committee takes effect on the expiry of the appeal period.

Notice of the decision has been given to the following:

- The Premises Licence Holder
- The Applicant
- The Responsible Authorities and any persons who made relevant representations
- The Chief Officer of Police.

Right of Appeal

If you wish to appeal against the Council's decision, you must do so in writing within 21 days of being notified of the Council's decision to the Magistrates' Court. A fee must be paid to the Magistrates' Court and your application should be sent to the:-

Chelmsford Magistrates' Court
Court Administration Centre
P.O. Box 10754
Chelmsford
Essex
CM1 9PZ

Telephone: 01245 313300.
Email enquiries: esosprey@hmcts.gsi.gov.uk

For further guidance on appeals to the Magistrates' Court please contact the Magistrates' Court, or seek independent legal advice.

Right to Request a Review

At any stage following the grant of a Premises Licence, you may be able to ask the Licensing Authority to review the Premises Licence. You will need to complete an application form which can be obtained from the Council or from www.gov.uk. An application for a review must be about the effect that the Premises Licence is having on at least one of the four licensing objectives. Further information about reviews can be found at www.gov.uk.

The Hare and Hounds PH conditions:

Wording in black is what the Applicant seeks.

Wording in red is what the Premises Licence Holder seeks where there is disagreement. Blue wording is for information.

1. The Live Music Act 2012 exemption to be removed in accordance with s.177A of the Licensing Act 2003 and a statement added to the premises licence pursuant to s.177A(3) to state that this section does not apply to it. For the avoidance of doubt where the premises licence includes regulated entertainment indoors this does not include outbuildings or other structures, whether temporary or permanent, present within the premises outside.

The Premises Licence Holder wants to be allowed to have one event (live or recorded music or sporting event) per calendar month in the garden.

Would a plan assist?

NB. The removal of the Live Music Act 2012 exemption as a condition has to be added as a decision of the LSC on review.

2. There shall be no regulated entertainment or other activities, including use of TV's, exhibition of film, theatrical performances, sporting events or similar in the garden itself or outdoor area of the premises at any time – including arising from within any outbuildings or other structures, whether temporary or permanent, present within the premises outside.
3. The maximum number of customers who may be present at any one time in the garden during permitted hours of opening of the garden is 90.
The Premises Licence Holder wants the number of customers in the garden to be unlimited.
4. The garden may only be open for use by customers between 11am and 9pm Monday to Saturday and 11am to 6pm on Sundays and Bank Holidays. Outside of those times the DPS or Licence Holder is responsible for ensuring that all customers have left the garden. Any empty glasses, plates, etc must be removed from the garden within 30 minutes of the garden closing.
The Premises Licence Holder wants the garden to be open for use by customers until 11pm every day. The garden will be cleared by 11:30pm.
5. *Background recorded music to be allowed in the garden up to 10pm through a noise limiter which will be set at a level agreed by Braintree District Council. The limiter will be serviced annually and a certificate of service provided to Braintree District Council.*

This condition is not agreed by the Applicant as it is unmanageable and extremely difficult to police. It puts the onus on the Applicant to monitor compliance.

6. After the close of the garden each day, the use of any smoking shelters or areas in those locations is prohibited and customers should make use of the car park or front of the premises instead.
7. During any performance of live music indoors the pub doors and windows must be kept closed at all times, other than for access or egress or where COVID-19 related measures necessitate ventilation in such manner. Where doors or windows are required to be open for COVID-19 related measures, only doors and windows at the front of the premises shall be open.
8. *If condition one does allow one event per calendar month. The following condition will be sought by the Applicant.*

To assist with the management of garden use, numbers of guests, control of customers and ensuring that doors and windows remain closed, SIA registered door staff shall be in place at all times when an event, of any type, is taking place from 6pm until close and ensure that all customers have left the premises.

9. Where an event is planned where the total capacity within the premise curtilage at any one time may exceed a total capacity of 499 an Event Safety Management Plan (EMP) must be submitted to the Licensing Authority and Police no later than 8 weeks prior to the event.

As a minimum requirement this should include but not be limited to:

- (i) Overview of event
 - (ii) Traffic Management Plan
 - (iii) Emergency Plan
 - (iv) Detailed Site Plan
10. The Licence holder or an appointed representative with control of the event will also attend a Safety Advisory Group (SAG) meeting if requested to do so and the event safety management plan will include any other such matters that the SAG deem necessary to meet the licensing objectives for that particular event.

11. Where the licensing authority or a Safety Advisory Group declares the final version of the EMP as unsatisfactory and specifies that it considers that one or more of the licensing objectives is likely to be undermined the event shall not be permitted to go ahead.
12. Where the final version of the EMP is approved, this must be complied with and no changes may be made to it without the prior written consent of the licensing authority.
13. At all times during any event which exceeds 499 capacity drinks may only be served in polycarbonate / plastic or toughened glass containers.