

**North Hertfordshire District Council  
Licensing Act 2003  
Decision Notice**

Date of Hearing	Monday 25 <sup>th</sup> July 2005										
Members of Panel	A. Bardett, G. Grindal, L. Kercher										
Applicant(s) Name	James Alan Beech										
Premises Address	Chequers, 58 High Street, Royston, Herts SG8 9AW										
Date of Application	Friday 3 <sup>rd</sup> June 2005										
<b>APPLICATION FOR VARIATION</b>	<p>This is an application for variation of a Premises Licence during the transitional period under Schedule 8 paragraph 7(b) of the Licensing Act 2003.</p> <p>The Sub-Committee have read the material presented to us and have listened to all the evidence and submissions. The Sub-Committee has considered the National Guidance and the Statement of Licensing Policy and has come to the following decision:</p> <p><i>The application is <b>approved</b> subject to the conditions and hours as set out below.</i></p> <p><b>1. <u>OPENING HOURS</u></b></p> <p>The opening hours applied for are:</p> <table> <tr> <td>Monday and Tuesday</td> <td>1100hrs to 0030hrs the following morning</td> </tr> <tr> <td>Wednesday</td> <td>1100hrs to 0130hrs the following morning</td> </tr> <tr> <td>Thursday</td> <td>1100hrs to 0230hrs the following morning</td> </tr> <tr> <td>Friday and Saturday</td> <td>1100hrs to 0330hrs the following morning</td> </tr> <tr> <td>Sunday</td> <td>1200hrs to 0030hrs the following morning</td> </tr> </table> <p>These hours are to apply each day of the year with the exception of:</p> <ul style="list-style-type: none"> <li>•□□□ Xmas Eve,</li> <li>•□□□ Xmas Day,</li> <li>•□□□ Boxing Day,</li> <li>•□□□ New Years Day,</li> <li>•□□□ Good Friday, Easter Saturday, Easter Sunday, Easter Monday</li> <li>•□□□ All Bank Holidays and the day preceding Bank Holidays</li> </ul> <p>On all these days the hours will be from 1100hrs to 0300hrs the following morning</p>	Monday and Tuesday	1100hrs to 0030hrs the following morning	Wednesday	1100hrs to 0130hrs the following morning	Thursday	1100hrs to 0230hrs the following morning	Friday and Saturday	1100hrs to 0330hrs the following morning	Sunday	1200hrs to 0030hrs the following morning
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	<p><b>2. <u>LICENSABLE ACTIVITIES</u></b></p> <p>The licensable activities and hours applied for are:</p> <p><b>PART M - Supply of alcohol</b></p> <p>Monday and Tuesday 1100hrs to 2400hrs  Wednesday 1100hrs to 0100hrs the following morning  Thursday 1100hrs to 0200hrs the following morning  Friday and Saturday 1100hrs to 0300hrs the following morning  Sunday 1200hrs to 2400hrs</p> <p>These hours are to apply each day of the year with the exception of:</p> <ul style="list-style-type: none"> <li>•□□□ Xmas Eve,</li> <li>•□□□ Xmas Day,</li> <li>•□□□ Boxing Day,</li> <li>•□□□ New Years Day,</li> <li>•□□□ Good Friday, Easter Saturday, Easter Sunday, Easter Monday</li> <li>•□□□ All Bank Holidays and the day preceding Bank Holiday</li> </ul> <p>On all these days the hours will be from 1100hrs to 0300hrs the following morning</p>
<p><b>CONDITIONS OFFERED BY APPLICANT</b></p>	<p>All conditions offered by the applicant in order to promote the four licensing objectives set out in part Q of their application, with the following amendments:</p> <ol style="list-style-type: none"> <li>1. <i>No entry or re-entry to the premises after 11pm by members of the public.</i></li> <li>2. <i>No person under the age of 21 years old shall be permitted on the premises when they are being used for the purposes of the supply of alcohol.</i></li> </ol>
<p><b>CONDITIONS CONSIDERED NECESSARY FOR THE PROMOTION OF THE LICENSING OBJECTIVES BY THE SUB-COMMITTEE</b></p>	<p>The sub-committee recognises that conditions will <u>only</u> be imposed on licences where they are necessary for the promotion of one of the four licensing objectives.</p> <p>The sub-committee will only impose conditions where relevant representations have been made and the sub-committee is satisfied by way of formal hearing that it is necessary to impose conditions as a result of these representations.</p> <p>The following conditions are each considered necessary by the sub-committee to promote the licensing objective of the prevention of public nuisance. The conditions considered necessary are:</p> <ol style="list-style-type: none"> <li>1. <i>There shall be placed on all exits from the premises in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.</i></li> <li>2. <i>Any outside area which is used for the consumption of alcohol</i></li> </ol>

	<p><i>shall cease to be used after 11pm</i></p> <p>3. <i>All external windows and doors shall be kept closed when incidental music is being played except in the event of an emergency and except for the egress and ingress of customers.</i></p>
<p><b>LICENSING POLICY</b></p>	<p>Relevant considerations from the NHDC Statement of Licensing Policy taken into account in reaching this decision:</p> <p><b>4. Regulating Licensing</b></p> <p>4.1 Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. The Council may attach conditions to licences issued under the Act and these must be focussed on matters, which are within the control of the individual licence holders and others in possession of relevant authorisations.</p> <p>4.2 Licensing law is not a mechanism for the general control of nuisance and antisocial behaviour by individuals once they are away from the licensed premises or event and therefore beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in North Hertfordshire.</p> <p>4.3 In addressing these matters the Council will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or otherwise engaged in activities in the vicinity.</p> <p><b>7. Licensing Hours</b></p> <p>7.1 The Council recognises that fixed and overly restrictive opening times can lead to peaks of disorder and disturbance on the streets due to large numbers of people leaving licensed premises simultaneously. These concentrations of people leaving can result in friction at places such as late night food outlets, taxi ranks and other sources of transport. Longer licensing hours with regard to the sale of alcohol are an important factor in reducing these concentrations and the resulting crime and disorder.</p> <p>7.2. The Council also recognises that licensing hours should not inhibit the development of a thriving and safe evening and night time economy, which is important for local investment, employment and tourism. The Council will not seek to restrict the trading hours of any particular premises unless this is necessary to promote one or more of the Licensing Objectives.</p>
<p><b>RIGHTS OF REVIEW</b></p>	<p>Any interested party or responsible authority can apply to the Council at any time for a review of the licence. The review is a request for the Council to look at the existing licence and decide whether its conditions are adequate to meet the four licensing objectives defined under the Licensing Act 2003.</p>

