

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

Date of Hearing	Thursday 25 th August 2005
Members of Panel	P. Burt, S. Bloxham and A. Kingman
Applicant(s) Name	Letchworth Garden City Conservative Club
Premises Address	Letchworth Garden City Conservative Club, Birds Hill, Letchworth, Herts, SG6 1PH
Date of Application	Tuesday 28 th June 2005
APPLICATION FOR VARIATION	<p>This is an application for a variation to the Club Premises Certificate during the transitional period under Schedule 8 paragraph 19(1) 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>The application is approved subject to the conditions and hours as are set out below.</p> <p><u>LICENSABLE ACTIVITIES</u></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none"> • PART E – Live Music • PART F – Recorded Music • PART I – Provision of facilities for making music • PART J – Provision of facilities for dancing • PART L – Supply of Alcohol <p>The hours during which the following licensable activities may take place are:</p> <p>PART E – Live Music PART F – Recorded Music PART I – Provision of facilities for making music</p> <p style="text-align: center;">Friday & Saturday 1900hrs to 2400hrs</p> <p>PART J – Provision of facilities for dancing</p> <p style="text-align: center;">Friday & Saturday 1000hrs to 2400hrs</p>

	<p>PART L – Supply of alcohol</p> <p>Monday to Thursday 1000hrs to 2300hrs Friday and Saturday 1000hrs to 2400hrs Sunday 1200hrs to 2230hrs</p>
CONDITIONS DEEMED NECESSARY FOR THE PROMOTION OF THE LICENSING OBJECTIVES	<p>The Sub-Committee recognises that conditions will <u>only</u> be imposed on a licence where conditions are necessary for the promotion of one of the four licensing objectives. The Sub-Committee will only impose conditions on a licence where relevant representations have been made and they consider that it is necessary to impose conditions as a result of these representations.</p>
CONDITIONS PROPOSED BY THE RESPONSIBLE AUTHORITIES	<p>The following restriction has been recommended by Environmental Health:</p> <p><i>That all regulated entertainment should stop at 2300hrs on Friday and Saturday nights.</i></p> <p>Taking into account the steps the applicant has taken to prevent noise nuisance the Sub-Committee considers that this restriction is unnecessary to ensure the promotion of the licensing objective of the prevention of public nuisance.</p>
CONDITIONS PROPOSED BY APPLICANT	<p>This licence will be subject to the conditions, that are consistent with the terms offered by the applicant in order to promote the four licensing objectives, set out in part O of their application.</p> <p><u>Plus:</u></p> <ol style="list-style-type: none"> 1. During events where regulated entertainment is provided all doors and windows will be kept closed after 2300hrs every evening except to allow for egress and ingress and in the event of an emergency. 2. Any outside area of the premises attached to the application will not be used at any time for the performance of Regulated Entertainment.
EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT	<p>The Sub-Committee has explained to the applicant the effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, would result in a fine of up to £20,000 or up to six months imprisonment or both.</p>
STATEMENT OF LICENSING POLICY	<p>The Sub-Committee has taken into account the North Hertfordshire District Council's Statement of Licensing Policy in reaching their decision. They have found the following sections to be of particular relevance in reaching this decision.</p>

	<p>7. Licensing Hours</p> <p>7.2 <i>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.</i></p> <p>10. Live Music, Dancing and Theatre</p> <p>10.1 <i>The Council recognises the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community.</i></p> <p>10.2 <i>Only necessary, proportionate and reasonable licensing conditions will be imposed on relevant licences so as not to discourage the promotion of entertainment. Conditions will relate to the promotion of the Licensing Objectives.</i></p> <p>10.3 <i>The Council will avoid any measure, which deters live music, dancing and theatre by imposing indirect costs of a substantial nature.</i></p>
COMMENCEMENT DATE	This licence will come into effect from the second appointed day, namely the 24 th of November 2005.
RIGHTS OF REVIEW	At any stage, following the grant of a premises licence, a responsible authority, such as the Police or an interested party, such as a resident living in the vicinity of the premises may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. 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.