

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

Date of Hearing	Thursday 1 st September 2005						
Members of Panel	P. Burt, A. Kingman and J. Kirby.						
Applicant(s) Name	Greene King Brewing and Retailing Limited						
Premises Address	Rose and Crown, 8 Whitehorse Street, Baldock, Hertfordshire, SG7 6QN						
Date of Application	Monday 4 th July 2005						
APPLICATION FOR VARIATION	<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>The application is approved subject to the conditions and hours as are set out below.</p> <p>1. <u>OPENING HOURS</u></p> <p>The permitted opening hours are:</p> <table style="margin-left: 20px;"> <tr> <td>Monday to Thursday</td> <td>1100hrs to 0030hrs the following morning</td> </tr> <tr> <td>Friday to Saturday</td> <td>1100hrs to 0130hrs the following morning</td> </tr> <tr> <td>Sunday</td> <td>1200hrs to 0030hrs the following morning</td> </tr> </table> <p>2. <u>LICENSABLE ACTIVITIES</u></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none"> • <input type="checkbox"/> PART E – Live Music • <input type="checkbox"/> PART F – Recorded Music • <input type="checkbox"/> PART J – Provision of facilities for dancing • <input type="checkbox"/> PART L – Late night refreshment • <input type="checkbox"/> PART M – Supply of alcohol <p>The hours during which the licensable activities may take place are:</p> <p>PART E – Live Music PART F – Recorded Music PART J – Provision of Facilities for dancing</p>	Monday to Thursday	1100hrs to 0030hrs the following morning	Friday to Saturday	1100hrs to 0130hrs the following morning	Sunday	1200hrs to 0030hrs the following morning
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Sunday	1200hrs to 0030hrs the following morning						

	<p>Monday to Thursday 1100hrs to 2330hrs Friday to Saturday 1100hrs to 2400hrs Sunday 1200hrs to 2330hrs</p> <p>PART L – Late night refreshment</p> <p>All Days 2300hrs to 2400hrs</p> <p>PART M – Supply of Alcohol</p> <p>The permitted hours for the Supply of Alcohol to the <u>Public</u> are:</p> <p>Monday to Thursday 1100hrs to 2400hrs Friday to Saturday 1100hrs to 0100hrs the following morning Sunday 1200hrs to 2400hrs</p> <p>The permitted hours for the Supply of Alcohol to <u>Hotel Guests</u> are:</p> <p>Monday to Thursday 1100hrs to 0100hrs the following morning Friday to Saturday 1100hrs to 0200hrs the following morning Sunday 1200hrs to 2400hrs</p>
<p>CONDITIONS DEEMED NECESSARY FOR THE PROMOTION OF THE LICENSING OBJECTIVES</p>	<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>
<p>CONDITIONS PROPOSED BY APPLICANT</p>	<p>This licence will be subject to the conditions which are consistent to the terms offered by the applicant in order to promote the four licensing objectives set out in part Q of their application.</p> <p><u>Plus:</u></p> <ol style="list-style-type: none"> 1. Live Music is to be restricted to being performed on no more than two occasions each week. 2. The following licensable activities; Live Music, Recorded Music, Provision of Facilities for Dancing are only permitted to take place inside the premises, as shown on the plan attached to the application.
<p>EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT</p>	<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>

<p>STATEMENT OF LICENSING POLICY</p>	<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>4. Regulating Licensing</p> <p>4.1 <i>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.</i></p> <p>4.2 <i>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.</i></p> <p>4.3 <i>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.</i></p>
<p>COMMENCEMENT DATE</p>	<p>This licence will come into effect from the second appointed day, namely the 24th of November 2005.</p>
<p>RIGHTS OF REVIEW</p>	<p>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.</p>