

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

Date of Hearing	Tuesday 6 th September 2005
Members of Panel	P. Burt, P Clark and A. Kingman.
Applicant(s) Name	Mr Jason Charles Hanning & Mrs Janet Elizabeth Harvey
Premises Address	The Sunrunner, 24 Bancroft, Hitchin, Herts, SG5 1JW
Date of Application	Tuesday 12 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 <u>approved</u> 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> <p>Monday to Thursday 1100hrs to 0040hrs the following morning Friday and Saturday 1100hrs to 0140hrs the following morning Sunday 1100hrs to 0040hrs the following morning</p> <p>These hours are to apply each day of the year with the exception of</p> <ul style="list-style-type: none">•□□□ Christmas Eve <p>On this day the permitted hours will be from 1100hrs – 0140hrs the following morning.</p> <p><u>AND</u></p> <p>The premises will retain existing New Year's Eve and New Year's Day hours.</p> <p>2. <u>LICENSABLE ACTIVITIES</u></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none">•□□□ PART M - Supply of alcohol

	<p>The applicant, Mr Jason Hanning, has withdrawn his request for live music to be permitted at the premises.</p> <p>The hours during which the Supply of Alcohol is permitted are:</p> <p>Monday to Thursday 1100hrs to 2400hrs Friday and Saturday 1100hrs to 0100hrs the following morning Sunday 1100hrs 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"> • Christmas Eve <p>On this day the permitted hours will be from 1100hrs – 0100hrs the following morning.</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>The following conditions are each considered necessary by the Sub-Committee to promote the licensing objective of prevention of public nuisance</p> <p>The conditions are:</p> <ol style="list-style-type: none"> 1. The back-door of the premises, as shown on the plan attached to the application and described as back-door will have an alarm installed and this will be in good working order at all times the premises are open to the public. The purpose of which is to prevent customers using the back door as an exit to the outside area. 2. There shall be placed on the back-door a sign notifying the customers that the door is alarmed and that access is restricted for members of the public.
<p>CONDITIONS PROPOSED BY THE RESPONSIBLE AUTHORITIES</p>	<p>The objection raised by Mr Victor Quashie, Environmental Health Officer, has been withdrawn at the outset of the hearing.</p>
<p>CONDITIONS PROPOSED BY APPLICANT</p>	<p>This licence will be subject to conditions that are consistent with the terms offered by the applicant in order to promote the four licensing objectives set out in part Q of their application. With the exception of the statement in part Q, section D which reads ‘sound insulation contracted to be put in dividing wall to adjacent property’. The applicant has withdrawn this condition in the course of the hearing.</p> <p>Plus:</p>

	<ol style="list-style-type: none"> 1. Customers using the function room located on the first floor of the premises will be required to leave this room no later than 2300hrs every evening. No entry or re-entry will be permitted to this room after 2300hrs in the evening. 2. Customers using the outside area of the premises will be required to leave this area no later than 2300hrs every evening. No entry or re-entry will be permitted to this area after 2300hrs in the evening.
EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT	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.
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>7.1 <i>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.</i></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>
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.

