

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

Date of Hearing	Friday 9 <sup>th</sup> September 2005
Members of Panel	P. Burt, P. Clark and J. Cunningham.
Applicant(s) Name	Charteridge Conference Company
Premises Address	The Node Conference Centre, Hitchin Road, Codicote, Hertfordshire, SG4 8TL
Date of Application	Friday 15 <sup>th</sup> July 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>The application is <u>approved</u> subject to the conditions and hours as are set out below.</p> <p><b>1. <u>OPENING HOURS</u></b></p> <p>The premises are permitted to be open 24 hours per day, 7 days per week.</p> <p><b>2. <u>LICENSABLE ACTIVITIES</u></b></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none"> <li>• <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PART E – Live Music</li> <li>• <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PART F – Recorded Music</li> <li>• <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PART G - Performances of Dance</li> <li>• <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PART H – Anything of a Similar Nature – Parts E, F or G</li> <li>• <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PART I – Provision of Facilities for Making Music</li> <li>• <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PART J - Provision of Facilities for Dancing</li> <li>• <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PART K – Provision of Facilities for Entertainment of a Similar Description – Parts I or J</li> <li>• <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PART L – Late Night Refreshment</li> <li>• <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PART M - Supply of alcohol</li> </ul> <p>The hours during which the licensable activities may take place are:</p>

	<p><b>PART E – Live Music</b>  <b>PART F – Recorded Music</b>  <b>PART G – Performance of Dance</b>  <b>PART I – Provision of facilities for making music</b>  <b>PART J – Provision of facilities for dancing</b>  <b>PART H – Anything of a similar description to that falling within E, F or G</b>  <b>PART K – Provision of facilities for entertainment of a similar description to that falling within I or J</b></p> <p>Monday to Saturday 1200hrs to 2400hrs  Sunday 1200hrs to 2300hrs</p> <p>These hours are to apply each day of the year with the exception of New Years Eve. On this day the permitted hours will be from 1200hrs – 0100hrs the following morning.</p> <p><b>PART L – Late night refreshment</b></p> <p>Monday to Saturday 2300hrs to 2400hrs  Sunday 2300hrs to 2400hrs</p> <p>These hours are to apply each day of the year with the exception of New Years Eve. On this day the permitted hours will be from 2300hrs – 0100hrs the following morning.</p> <p><b>PART M - Supply of alcohol</b></p> <p>The premises are permitted to supply alcohol 24 hours per day, 7 days per week.</p>
<p><b>CONDITIONS DEEMED NECESSARY FOR THE PROMOTION OF THE LICENSING OBJECTIVES</b></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 condition is considered necessary by the Sub-Committee to promote the licensing objective of <i>prevention of public nuisance</i>.</p> <p>The condition is:</p> <ol style="list-style-type: none"> <li>1. The licence holder or his/her representative shall conduct regular assessments of the noise coming from any outdoors area of the premises on occasions when the outdoors area of the premises is used for the provision of regulated entertainment. The licence holder or his/her representative shall take steps to reduce the level of noise where it is likely to cause a disturbance to residents in the neighbouring properties. A written record</li> </ol>

	<p>shall be made of those assessments an a log book kept for that purpose and shall include, the time and date of the checks, the person making them and any remedial action taken. The log book shall be made available to the licensing authority at their request.</p>
<p><b>CONDITIONS PROPOSED BY APPLICANT</b></p>	<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 Q of their application.</p> <p><u>Plus:</u></p> <ol style="list-style-type: none"> <li>1. The supply of alcohol shall be restricted to the following persons; <ol style="list-style-type: none"> <li>(a) Employees and Directors of the Charteridge Conference Company and their associated companies</li> <li>(b) Guests of those persons stated in condition (a)</li> <li>(c) Persons attending pre-arranged functions at the premises</li> <li>(d) Persons attending pre-arranged conferences and similar events at the premises</li> <li>(e) Persons who are resident at the premises</li> <li>(f) Persons who are taking table meals at the premises</li> </ol> </li> <li>2. The buildings as shown on the plan of the premises shall be patrolled by staff at all times when the premises are in operation during night-time hours.</li> <li>3. CCTV cameras will be maintained and operated at the premises. The images recorded by CCTV shall be retained in an unedited form for a period of not less than 14 days.</li> </ol> <p><i>The licensing authority notes the applicant's offer to forewarn all neighbouring properties in advance of occasions when they propose to provide regulated entertainment in the outdoors area of the premises.</i></p>
<p><b>EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT</b></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><b>STATEMENT OF LICENSING POLICY</b></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><b>5. Licence Conditions</b></p> <p>5.1 <i>The Council will tailor any conditions to the individual circumstances of the premises and events concerned and will seek to avoid attaching disproportionate and over burdensome conditions on licences.</i></p>

	<p>5.2 <i>Conditions will only be imposed when they are necessary for the promotion of the Licensing Objectives and will focus upon matters within the control of the individual licensee such as the premises, places or events being used for licensable activities. Conditions are likely to be focused towards the direct impact of those activities on persons living, working or otherwise engaged in activities in the vicinity.</i></p> <p><b>9. The Prevention of Public Nuisance</b></p> <p>9.1 <i>Licensed premises may have significant potential to impact adversely on communities through public nuisances that arise from their operation. The Council interprets 'Public Nuisance' in its widest sense and takes it to include such things as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in activities in the vicinity of a particular premises.</i></p> <p><b>10. Live Music, Dancing and Theatre</b></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>
<b>COMMENCEMENT DATE</b>	This licence will come into effect from the second appointed day, namely the 24 <sup>th</sup> of November 2005.
<b>RIGHTS OF REVIEW</b>	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.