

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

Date of Hearing	Monday 19 th June 2006
Members of Panel	A. Bardett, P. Clark, J. Kirby
Applicant(s) Name	Co-operative (CWS) Group Ltd
Premises Address	11 Arena Parade, Letchworth Garden City, Hertfordshire, SG6 3BY
Date of Application	Thursday 11 th May 2006
APPLICATION FOR VARIATION (PREMISES LICENCE)	<p>This is an application for variation of a Premises Licence to specify a DPS under Section 37 of the Licensing Act 2003.</p> <p>The Sub-Committee has read the material presented and has read the objection by the Police and 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 for the reasons given below</p>
REASONS FOR APPROVAL/ REJECTION OF THE APPLICATION	<p>The Sub-Committee notes that under section 37(5) of the Licensing Act 2003 the Police may object to the application if the exceptional circumstances of the case would undermine the crime prevention objective.</p> <p>The Sub-Committee have noted the Police objection on the grounds of a test purchase to a minor but does not consider that this would undermine the crime prevention objective</p> <p>In reaching this conclusion the Sub-Committee has relied upon the following representations as grounds for its decision:</p> <ol style="list-style-type: none"> (1) That the applicant has no criminal convictions (2) That there was no evidence presented that the premises has any degree of notoriety for underage drinking (3) That the Applicant has not been charged with any offence in relation to this investigation and there was no evidence of whether the investigation may result in any charge (4) That the Applicant is aware of her responsibilities under the Licensing Act and has regularly refused sales of alcohol to minors which is recorded and checked by the Police (5) That the Police have a right to review the premises licence and the personal licence in the event of securing a conviction relating to this investigation <p>The Sub-Committee is of the opinion that for the reasons above the objection does not give rise to exceptional circumstances such that granting the application would undermine the crime prevention objective as required by the Act and the Guidance</p>

<p>NATIONAL GUIDANCE</p>	<p>The Sub-Committee has taken into account the Guidance issued by the department of Culture Media and Sport under section 182 of the Licensing Act 2003 in reaching their decision. It has particularly considered the advice in paragraphs 4.20 to 4.22 in coming to its conclusion.</p>
<p>COMMENCEMENT DATE</p>	<p>The variation to this licence took effect under interim measures on the Thursday 11th May 2006. The variation is now confirmed.</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>