

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

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| Date of Hearing | Wednesday, 25 May 2011 |
| Members of Panel | Councillors M. Muir, A. Millard, D. Chambers |
| Applicant(s) Name | Kirit Shah |
| Premises Address | Costcutter, 10 Ivel Court, Letchworth Garden City, Herts. SG6 2NH |
| Date of Application | 31 March 2011 |
| APPLICATION FOR GRANT | <p>This is an application for the grant of a Premises Licence under Section 17 of the Licensing Act 2003.</p> <p>The Sub-Committee has read the material presented to it and has 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 Sunday 0800hrs to 2300hrs</p> <p>2. <u>LICENSABLE ACTIVITIES</u></p> <p>The licensable activity applied for is:</p> <ul style="list-style-type: none"> • PART M - Supply of alcohol <p>The hours during which the licensable activities may take place are:</p> <p>PART M - Supply of alcohol</p> <p>Monday to Sunday 0800hrs to 2300hrs</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 it considers that it is necessary to impose conditions as a result of these representations.</p> <p>The Sub-Committee has decided not to impose any conditions of its own volition.</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 P of their application.</p> |

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| EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO 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. |
| STATUTORY GUIDANCE CONSIDERATIONS | The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (October 2010 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision: Paragraphs 1.16, 2.4, 2.6, 2.38, 2.39, and 2.47. |
| LICENSING POLICY CONSIDERATIONS | The Sub-Committee has taken into account the North Hertfordshire District Council's Statement of Licensing Policy in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision: Paragraphs 5.6, 5.7, 5.8, 5.9, 5.10, 6.3, 6.6, 10.8, 11.1, 11.3, 11.5 and 12.2. |
| RATIONALE FOR DECISION | Having considered the evidence before it, including the Guidance and Council's Licensing Policy, the Sub-Committee consider that the applicant is taking appropriate steps to address the concerns of local residents. The Sub-Committee found no basis on which to impose additional conditions on the applicant but is mindful of the review mechanism in the event that the resident's concerns arise in the future. |
| COMMENCEMENT DATE | This licence will come into effect from the date of this decision. |
| 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. |