

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

Date of Hearing	Thursday, 4 April 2013
Members of Panel	Councillors D. Barnard, J. Green and M. Weeks
Applicant(s) Name	Sudager Singh Aujla and Jagtar Singh Aujla
Premises Address	Aujla Superstore, 7 The Parade, Southfields, Letchworth Garden City
Date of Application	7 February 2013
APPLICATION FOR VARIATION	<p>This is an application for variation of a Premises Licence under Section 34 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>1. 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 0000hrs to 12 Midnight (ie. 24 hour opening)</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 hours during which the licensable activities may take place are:</p> <p>PART M - Supply of alcohol</p> <p>Monday to Sunday 0600hrs to 2300hrs</p>
CONDITIONS DEEMED APPROPRIATE 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 appropriate 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 appropriate to impose conditions as a result of these representations.</p> <p>The condition(s) are:</p> <p>None.</p>

CONDITIONS PROPOSED BY THE RESPONSIBLE AUTHORITIES	None.
CONDITIONS PROPOSED BY APPLICANT	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.
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	<p>The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (October 2012 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision:</p> <p>Paragraphs 1.17, 2.1, 2.3, 2.24, 9.38, 10.11, 10.12, and 13.42</p>
LICENSING POLICY CONSIDERATIONS	<p>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:</p> <p>Paragraphs 5.1, 5.9, 12.2 and 12.7</p>
RATIONALE FOR DECISION	<p>The Sub-Committee considered the application, the evidence presented to them and the representations of the Other Person who objected. In the absence of the Objector, the Sub-Committee considered their written representations carefully.</p> <p>The Sub-Committee found there to be no evidence that any of the anti-social behaviour or public nuisance referred to in the objection came from the premises or its customers. Further, there were no representations from the Police, Environmental Health or adjacent residents.</p> <p>The Sub-Committee found no evidence against the increase of hours for the supply of alcohol on Sunday evenings, Christmas Day, Good Friday and in the morning. These were not addressed in the objection. The Sub-Committee heard that the premises was already able to open 24 hours a day should they choose to. There was no evidence that this had or was likely to cause a public nuisance or crime and disorder.</p> <p>The Sub-Committee agreed that the plan should be amended to strike through the reference to spirits "only located behind the till counter" as this will not form part of the licence conditions.</p>
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 any other person, likely to be affected by 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.