

North Hertfordshire District Council
Licensing Act 2003
Prescribed Form of Notice (Conditions on a Temporary Event Notice) and
Statement of Conditions – Permitted Temporary Activities

Date of Hearing	Monday, 16 December 2013
Members of Panel	Councillors D. Barnard, J. Cunningham and G. Morris
Applicant(s) Name	Mr J. Samra
Premises Address	Bedford Arms Public House, 13-17 Bedford Road, Hitchin, Herts SG5 2TP
Date of Application	6 December 2013
APPLICATION FOR TEMPORARY EVENT NOTICES	This is an application for two Temporary Event Notices under Section 100 of the Licensing Act 2003.
DETAILS OF APPLICATION AND DECISION	<p>On 6 December 2013, the Licensing Authority received from Mr J. Samra two Temporary Event Notices (“the Notices”) in respect of temporary licensable activities due to take place on Tuesday, 24 December 2013 and Tuesday, 31 December 2013, respectively, at the Bedford Arms Public House, 13-17 Bedford Road, Hitchin, Herts. SG5 2TP.</p> <p>The first Notice is for an extension of hours for regulated entertainment and the sale of alcohol on Christmas Eve. The notification initially requested an extension of hours from 22:30hrs to 01:00hrs the following morning, however, the existing premises licence does not permit regulated entertainment on Christmas Eve. The notification was amended to request regulated entertainment from 21:00hrs to 01:00hrs the following morning but remains unchanged for the sale of alcohol.</p> <p>The second Notice is for an extension of hours for regulated entertainment and the sale of alcohol on New Year’s Eve. The existing premises licence permits regulated entertainment and the sale of alcohol until 01:00hrs on New Year’s Day, the notification requests to extend this provision until 02:00hrs.</p> <p>The Licensing Authority has received two objections to the above Notices under Section 104(2) of the Licensing Act 2003 (“the Act”).</p> <p>The following objections have been received:</p> <p>(1) A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective; and</p> <p>(2) A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.</p>

	<p>The Licensing Sub-Committee has decided not to give you a Counter Notice under Section 105 of the Act, and grant both of the Temporary Event Notices as per the applications.</p>		
REASONS FOR DECISION	<p>In making this decision, the Sub-Committee have taken into account the evidence from both relevant persons, the Police and Environmental Protection, Guidance issued by the Secretary of State, legislation, Council's Licensing Policy, and evidence from the Premises Licence Holder.</p>		
RIGHT OF APPEAL	<p>In accordance with Schedule 5, Part 3, Paragraph 16 of the Act, the Local Police and/or the Local Environmental Health Department may appeal against the above decision to the Magistrates Court within a period of 21 days, beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against. But no appeal may be brought later than five working days before the day on which the event specified in the Temporary Event Notice(s) begins.</p>		
	<p>A copy of this notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the Temporary Event Notices you gave is situated.</p> <p>Under Section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.</p>		
POLICE CLOSURE POWERS	<p>The Sub-Committee notes that the Police have powers to close premises for up to 24 hours. They may exercise these powers when a temporary event notice is in effect and they are satisfied the event is disorderly, likely to become disorderly or causing nuisance as a result of noise from the premises. Such orders may only be made where it is appropriate in the interest of public safety in cases of disorder or to prevent nuisance in the case of noise coming from the premises.</p>		
SIGNATURES		DATE	16/12/13
	On Behalf of the Licensing Authority		
NAME OF SIGNATORIES	Councillors D. Barnard, J. Cunningham and G. Morris		