

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

Date of Hearing	Tuesday, 11 November 2014
Members of Panel	Councillors D. Barnard, L. Kercher and M. Muir
Applicant(s) Name	Armas De Los Reyes Limited (c/o Mr T. E. Brace)
Premises Address	Kings Arms, 16 Bucklersbury, Hitchin, Herts. SG5 1BB
Date of Application	18 September 2014
<b>APPLICATION FOR GRANT</b>	<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>1. 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 permitted opening hours are:</p> <p>Sunday to Wednesday 1000hrs to 0030hrs the following morning Thursday to Saturday 1000hrs to 0130hrs the following morning</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>• PART F – Recorded Music</li> <li>• PART I – Late Night Refreshment</li> <li>• PART J - Supply of alcohol</li> </ul> <p>The hours during which the licensable activities may take place are:</p> <p><b>PART F – Recorded Music</b></p> <p>Sunday to Wednesday 1200hrs to 12 Midnight Thursday to Saturday 1200hrs to 0100hrs the following morning</p> <p><b>PART I - Late Night Refreshment</b></p> <p>Sunday to Wednesday 2300hrs to 12 Midnight Thursday to Saturday 2300hrs to 0100hrs the following morning</p>

	<p><b>PART J - Supply of alcohol</b></p> <p>Sunday to Wednesday 1000hrs to 12 Midnight Thursday to Saturday 1000hrs to 0100hrs the following morning</p>
<p><b>CONDITIONS DEEMED APPROPRIATE 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 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 following conditions are each considered appropriate by the Sub-Committee to promote the licensing objectives.</p> <p>The condition(s) are as offered by the Applicant:</p> <ol style="list-style-type: none"> <li>1. Recorded music constituting regulated entertainment shall only take place on four days per week</li> <li>2. No alcoholic drinks shall be permitted in the external area of the premises after 22:30 Sunday to Thursday and after 23:30 on Friday and Saturday</li> <li>3. There will be a maximum 30 minute period used when necessary after the sale or supply of alcohol has finished. From 00:00 to 00:30 Sunday to Wednesday and 01:00 to 01:30 Thursday, Friday &amp; Saturday for which customers may complete their evening and filter out gradually.</li> </ol>
<p><b>CONDITIONS PROPOSED BY THE RESPONSIBLE AUTHORITIES</b></p>	<p>None.</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 M of their application, as amended in accordance with correspondence received from the applicant dated 9 October 2014 and 21 October 2014.</p>
<p><b>EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT</b></p>	<p>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>STATUTORY GUIDANCE CONSIDERATIONS</b></p>	<p>The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (October 2014 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision:</p>

	<b>Paragraphs 1.3, 1.4, 1.5, 1.13, 1.16, 1.17, 1.19, 2.1, 2.3, 2.4, 2.8, 2.9, 2.11, 2.14, 2.18, 2.19, 2.20, 2.21, 2.22, 2.24, 2.25, 2.30, 8.33, 8.34, 8.35, 8.36, 9.1, 9.9, 9.12, 9.25, 9.31, 9.32, 9.37, 9.38, 9.39, 9.41, 9.42, 9.43, 10.8, 10.9, 10.10, 10.13, 10.14, 12.3 and 12.10</b>
<b>LICENSING POLICY CONSIDERATIONS</b>	<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><b>Paragraphs 4.4, 4.5, 5.1, 5.6, 5.9, 6.1, 6.2, 6.3, 6.4, 7.1.2, 9.1, 9.2, 9.4, 9.5, 10.2, 10.4, 10.6, 11.2, 12.1, 12.2, 13.1, 13.2, 16.6 and 24.4</b></p>
<b>RATIONALE FOR DECISION</b>	In accordance with the concerns raised and to promote the licensing objectives.
<b>COMMENCEMENT DATE</b>	This licence will come into effect from the date of this decision.
<b>RIGHTS OF REVIEW</b>	At any stage, following the grant of a premises licence, a responsible authority, such as the Police, or any other person that is affected by the application 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.