

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

Date of Hearing	Tuesday, 29 November 2016
Members of Panel	Councillors D. Barnard, A. Millard and M. Muir
Applicant(s) Name	Hedderwick Ltd.
Premises Address	Banyers Hotel, Royston, Herts. SG8 7BZ
Date of Application	7 October 2016
<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>Monday to Thursday 0800hrs to 0030hrs the following morning Friday and Saturday 0800hrs to 0130hrs the following morning Sunday 0800hrs to 2330hrs</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 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 I – Late Night Refreshment</b></p> <p>Monday to Thursday 2300hrs to 0030hrs the following morning Friday and Saturday 2300hrs to 0130hrs the following morning Sunday 2300hrs to 2330hrs</p> <p><b>PART J - Supply of alcohol</b></p> <p>Monday to Thursday 0800hrs to 12 Midnight Friday and Saturday 0800hrs to 0100hrs the following morning Sunday 0800hrs to 2300hrs</p>

	<p>These hours are to apply each day of the year with the exception of:</p> <ul style="list-style-type: none"> <li>• New Years Eve (from the start time on New Years Eve until the finish time on New Years Day)</li> <li>• All Bank Holidays - from 1000hrs to 2230hrs</li> <li>• 24 hours for residents of the hotel and their bona fide guests</li> <li>• The supply of alcohol between 0800hrs and 1000hrs for non-residents shall be ancillary to a table meal</li> </ul>
<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>No further conditions are considered appropriate by the Sub-Committee to promote the licensing objectives</p>
<p><b>CONDITIONS PROPOSED BY THE RESPONSIBLE AUTHORITIES</b></p>	<p>The following conditions have been recommended by the <b>NHDC Environmental Protection Service</b> and agreed by the applicant, and are considered appropriate for the promotion of one of the four licensing objectives, namely the Prevention of Public Nuisance:</p> <ol style="list-style-type: none"> <li>1. The Designated Premises Supervisor (DPS) or some other person shall manage, where necessary, the external areas of the premises and the dispersal of patrons from the premises to ensure that noisy or rowdy behaviour is prevented and therefore noise disturbance to local residents is minimised.</li> <li>2. Clear and legible notices shall be displayed at all entrance and exit points and external areas of the premises requesting patrons to respect the needs of local residents and to keep the noise to a minimum.</li> <li>3. No drinks shall be permitted in the external areas of the premises after 2300hrs.</li> <li>4. After 2300hrs, the designated smoking area shall be located directly adjacent to the front entrance of the premises unless otherwise agreed in writing by the Council's Noise Control Officer.</li> <li>5. Deliveries and waste collections relating to premises shall only take place between 0800hrs and 2300hrs Monday to Saturday and 0900hrs and 2200hrs on Sunday.</li> <li>6. Glass bottles shall only be emptied into waste bins at the premises between 0800hrs and 2300hrs Monday to Saturday and 0900hrs to 2200hrs on Sunday.</li> </ol>

<b>CONDITIONS PROPOSED BY APPLICANT</b>	<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.</p> <p>Plus:</p> <ol style="list-style-type: none"> <li>1. The Designated Premises Supervisor (DPS) or some other person shall regularly risk assess the need, or otherwise, for SIA approved door supervisors to be employed at the premises on given days and proceed accordingly.</li> </ol>
<b>EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT</b>	<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 an unlimited fine or up to six months imprisonment or both.</p>
<b>STATUTORY GUIDANCE CONSIDERATIONS</b>	<p>The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (March 2015 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision:</p> <p><b>Paragraphs 1.3, 1.4, 1.5, 1.16, 1.17, 2.1, 2.14, 2.15, 2.16, 2.17, 2.18, 2.20, 9.41 and 9.42</b></p>
<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 B6, B7, B8, B9, D2.1, D2.4, D2.6, D2.9, D3.1, D3.4, D6.2, D6.3, D6.8, D11.1, E3.1.1, E3.1.2, E3.3.1, E3.9.1, E3.9.2, E3.9.3, F8.1 and F8.2</b></p>
<b>RATIONALE FOR DECISION</b>	<ol style="list-style-type: none"> <li>1. The Sub-Committee was satisfied that the concerns raised by the interested parties had been addressed by the applicant.</li> <li>2. The Sub-Committee felt it was necessary for the Applicant to have a continuing regard for the need, or otherwise, to have SIA approved door supervisor present at the premises on a given day.</li> </ol>
<b>COMMENCEMENT DATE</b>	<p>This licence will come into effect from the date of this decision.</p>
<b>RIGHTS OF REVIEW</b>	<p>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.</p>