

Public Document Pack

NORTH HERTFORDSHIRE DISTRICT COUNCIL

LICENSING AND APPEALS SUB-COMMITTEE

MEETING HELD IN THE HOWARD MEMORIAL HALL, NORTON WAY SOUTH,
LETCWORTH GARDEN CITY ON TUESDAY, 5TH SEPTEMBER, 2017 AT 7.00 PM

MINUTES

Present: *Councillors Michael Muir (Chairman), Jean Green and Jim McNally.*

In Attendance:

Steve Cobb (Licensing Manager), Hannah Sweetman (Licensing Officer), James Ellis (Legal Advisor), Ian Gourlay (Committee and Member Services Manager), Pamela Burn (Applicant), Sonia Weston (Applicant), Theresa Tassell (Objector) and Calum Mitchell (Objector).

Also Present:

4 HEARING PROCEDURE

The Hearing Procedure was noted.

5 APPLICATION FOR A NEW PREMISES LICENCE FOR THE LETCHWORTH SETTLEMENT, 229 NEVELLS ROAD, LETCHWORTH GARDEN CITY

The report of the Licensing Officer was noted.

6 DECISION NOTICE

RESOLVED: That the application for a new Premises Licence be granted, subject to the conditions and hours set out in the attached Decision Notice.

The meeting closed at 8.50 pm

Chairman at the meeting on
Tuesday, 5 September 2017

This page is intentionally left blank

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

Date of Hearing	Tuesday, 5 September 2017
Members of Panel	Councillors J. Green, J. McNally and M. Muir
Applicant(s) Name	Pamela Georgina Burn and Sonia Elizabeth Weston
Premises Address	Letchworth Settlement, 229 Nevells Road, Letchworth Garden City, Herts. SG6 4UB
Date of Application	10 July 2017
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>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 Thursday 0900hrs to 1600hrs and 1800hrs to 2300hrs Friday 0900hrs to 1300hrs and 1800hrs to 2300hrs Saturday 0900hrs to 2300hrs Sunday 0900hrs to 2300hrs</p> <p>2. <u>LICENSABLE ACTIVITIES</u></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none"> • PART A – Plays • PART B – Films • PART E – Live Music • PART F – Recorded Music • PART G – Performance of a Dance • PART H – Anything of a Similar Nature – Parts E, F or G • PART J – Supply of alcohol <p>The hours during which the licensable activities may take place are:</p>

	<p>PART A – Plays PART B – Films PART E – Live Music PART F – Recorded Music PART G – Performance of a Dance PART H – Anything of a Similar Nature – Parts E, F and G (Visiting Speakers, Quiz and Race Nights)</p> <p>Monday to Friday 1900hrs to 2300hrs Saturday and Sunday 1300hrs to 1700hrs and 1900hrs to 2300hrs</p> <p>PART J – Supply of Alcohol</p> <p>Monday to Sunday 1200hrs to 1500hrs and 1900hrs to 2300hrs</p>
<p>CONDITIONS DEEMED APPROPRIATE FOR THE PROMOTION OF THE LICENSING OBJECTIVES</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 objective of [state licensing objective]</p> <p>The condition(s) are:</p> <ol style="list-style-type: none"> 1. During occasions when the premises is being used for the provision of private parties and/or other events, the licence holder must ensure that a member of staff or other such authorised officer attends the premises at the conclusion of the said event to ensure an orderly and quiet dispersal 2. During the playing of amplified music on the premises the windows to the front elevation must be kept close throughout the duration of the event, along with the doors facing residential properties. 3. No alcohol is to be stored on the premises other than during any pre-arranged events. 4. During licensable activities, smoking shall only be permitted at the rear car park to the premises so that there will be a reduced risk intrusion to the peace and privacy of local residents.
<p>CONDITIONS PROPOSED BY RESPONSIBLE AUTHORITIES</p>	<p>No conditions have been recommended by Responsible Authorities.</p>
<p>CONDITIONS PROPOSED BY APPLICANT</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.</p> <p>Plus:</p>

	<p>1. That licensable activated be limited to no more than 30 days in any one calendar year.</p>
EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT	<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>
STATUTORY GUIDANCE CONSIDERATIONS	<p>The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (April 2017 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision:</p> <p>Paragraphs 1.3, 1.4, 1.5, 1.16, 1.17, 2.1, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.21, 8.38, 8.39, 8.40, 8.44, 8.46, 9.42, 9.43, 9.44, 10.8, 10.9 and 10.10</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 B6, B7, B8, B9, D2.1, D2.4, D2.5, D2.6, D2.9, D3.4, D6.2, D6.3, D6.8, D8.1, D8.2, D8.3, E3.1.1, E3.1.3, E3.3.1, E3.9.1, E3.9.2, E3.9.3, F8.1 and F8.2</p>
RATIONALE FOR DECISION	<ol style="list-style-type: none"> 1. The Sub-Committee appreciate the concerns raised by the objectors and are grateful to the applicant for the licence condition it offered up during the course of the hearing. 2. However, having considered all of the evidence put forward by the parties, the Sub-Committee considered that in order to properly promote the licencing objectives, particularly the licensing objective of prevention of public nuisance, it was appropriate to include the conditions previously referred to in this notice.
COMMENCEMENT DATE	<p>This licence will come into effect from the date of this decision.</p>
RIGHTS OF REVIEW	<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>

This page is intentionally left blank