

## Decision Notice

Date of Hearing	Friday 21 January 2022
Members of Panel	Councillors G. Morris, S. Bloxham and E. Dennis-Harburg
Applicant	Greene King Retailing Limited
Premises Address	The Engine 3 Station Road, Baldock, Hertfordshire, SG7 5BS.
Date of Application	7 December 2021
<b>DECISION</b>	<p>This is an application to vary the premises licence to specify a new designated premises supervisor under Section 37 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><b>The sub-committee has decided to grant the application</b></p> <p>The sub-committee has determined that specifying Dale Mabert as designated premises supervisor will not undermine the licensing objective of the prevention of crime and disorder and that there are not exceptional circumstances such that it would be appropriate to refuse the application.</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 (April 2018 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision:</p> <p><b>Sections 1.3, 1.4, 1.5, 2.1, 4.31, 4.32, 4.39, 4.40, 4.41, 4.45, 9.43</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. They have found the following sections to be of relevance in reaching this decision.</p> <p><b>Sections D1.4, D2.1, D2.9, F2.1, F2.2, F2.3, F2.4, O1.1</b></p>
<b>RATIONALE FOR DECISION</b>	<ul style="list-style-type: none"> <li>Having listened to the submissions of all parties, including the proposed designated premises supervisor's (DPS's)</li> </ul>

	<p>representative, the Police Officer and having reviewed the video material in the closed session the Sub-Committee were satisfied that granting to vary the premises licence to specify a new DPS would be consistent with the promotion of the licensing objective of prevention of crime and disorder.</p> <ul style="list-style-type: none"> <li>• The Police Officer in his speech expressed his concerns regarding the behaviour of the proposed DPS and his previous convictions. The Sub Committee were mindful of Section 2.1 of the guidance which states “licensing authorities should look to the police as the main source of advice on crime and disorder” however the Sub Committee were not convinced there was sufficient evidence to support the Police’s representations.</li> <li>• The Sub-Committee having regard to all the evidence and representation at the hearing today concluded that the appointment of Mr Mabert as DPS for the premises would not have an adverse effect on the promotion of the prevention of the crime and disorder objective.</li> </ul>
<b>COMMENCEMENT DATE</b>	This decision takes immediate effect.
<b>RIGHTS OF APPEAL</b>	<p>An appeal may be made against this decision by:</p> <ul style="list-style-type: none"> <li>• the applicant</li> <li>• Hertfordshire Constabulary</li> </ul> <p>The appeal and appeal fee must be lodged with the Clerk to Stevenage Magistrates Court no later than twenty-one (21) days after the day on which the parties were notified by the Licensing Authority of this decision.</p>