

1 December 2006

Our ref: LAC 5 December 2006
Your ref:
Contact: Tim Hobman
Direct Dial No: 01462 474353
E-mail: tim.hobman@north-
herts.gov.uk

To: Councillors: A. Bardett, D. Barnard and S. Bloxham

Dear Councillor,

A meeting of the

**LICENSING AND APPEALS COMMITTEE
(SUB-COMMITTEE)**

will be held in

**Committee Room 1,
COUNCIL OFFICES, GERNON ROAD,
LETCWORTH GARDEN CITY**

on

TUESDAY 5 DECEMBER 2006

at

2.00 p.m.

To hear the following, under the Licensing Act 2003:

**FOUR NOTIFICATIONS FOR TEMPORARY EVENT NOTICES FROM CARL
TIMOTHY WEBB IN RESPECT OF NU NIGHT CLUB, ROYSIA HOUSE, JOHN
STREET, ROYSTON, HERTFORDSHIRE SG8 9JH**

Yours sincerely,



David Miley
Democratic Services Manager

**NORTH HERTFORDSHIRE DISTRICT COUNCIL
LICENSING ACT 2003
TEMPORARY EVENT NOTICE
HEARING PROCEDURE**

<p>1. Chair's Welcome</p> <p>Introduction of:</p> <ul style="list-style-type: none"> • Councillors sitting on Sub-Committee (Sub-Committee); • Legal Advisor; • Licensing Officer; • Hertfordshire Constabulary; and • The 'premises user' (the Applicant). 	
<p>2. The Chair will outline the procedure for the hearing</p>	
<p>3. The Chair will ask the Licensing Officer if there has been any modifications to the application.</p>	

<p><u>The Licensing Officer's report</u></p> <p>4. The Chair will ask the licensing officer if they have anything to add to their report to the Sub-Committee</p> <p>5. The Chair will ask if there are any questions of fact of the licensing officer</p> <p>6. The Sub-Committee may ask questions of the licensing officer</p>	
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<p><u>The Police submit their case</u></p> <p>7. The Chair will ask the Police to present their submissions to the Sub-Committee</p> <p>8. The Chair will ask the premises user if there have any questions for the Police</p> <p>9. The Sub-Committee may ask questions of the Police</p>	
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The Applicants case

10. The Chair will ask the applicant to present their submissions to the Sub-Committee
11. The Chair will ask if there are any questions of fact of the applicant
12. The Sub-Committee may ask questions of the applicant

Closing statements

13. The licensing officer may make final submissions to the Sub-Committee
14. The Police may make final submissions to the Sub-Committee
15. The Applicant may make final submissions to the Sub-Committee

Conclusion

16. The Legal Advisor will summarise any legal points that have arisen during the hearing and will answer any legal questions from the Sub-Committee.
17. The Sub-Committee will close the hearing and retire to make a decision.
18. Where possible, the Chair will announce the Sub-Committee's decision and will give reasons for the decision.

LICENSING AND APPEALS COMMITTEE
5th December 2006

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

LICENSING ACT 2003

**APPLICATION BY CARL TIMOTHY WEBB FOR TEMPORARY EVENT NOTICES IN
RESPECT OF NU NIGHTCLUB, ROYSIA HOUSE, JOHN STREET, ROYSTON,
HERTFORDSHIRE, SG8 9JH.**

**REPORT OF THE STRATEGIC DIRECTOR OF FINANCIAL AND REGULATORY
SERVICES**

1. BACKGROUND

- 1.1 Rushland Limited currently holds the Premises Licence at the premises named above which was issued by North Hertfordshire District Council Licensing Authority on 18th August 2005 following an application for Conversion of an Existing Licence during the Transitional Period.
- 1.2 Jamie Moss is the Designated Premises Supervisor at the above premises.

2. PREMISES LICENCE

- 2.1 The hours and activities permitted by the Premises Licence are as follows:
- 2.2 These hours were determined by a Licensing and Appeals Sub-Committee after a Review Hearing on 26th October 2006, following a Closure Notice served by Hertfordshire Police.

3. TEMPORARY EVENT NOTICES' APPLICATIONS

- 3.1 The applications are for Temporary Event Notices under Section 100 of the Licensing Act 2003.
- 3.2 The licensable activities and hours applied for are as follows:

4. THE APPLICATION PROCESS

- 4.1 On the 23rd November 2006, Carl Timothy Webb made applications for Temporary Event Notices to North Hertfordshire District Council.
- 4.2 The Applicant served copies of this application to the Police Authority. There is no requirement to serve copies on any other Responsible Authority.
- 4.3 There is no requirement for public advertising of the application.

5. REPRESENTATIONS

- 5.1 The Police Authority are the only body that may object to the application and can only object under the crime prevention licensing objective.
- 5.2 On the 24th November 2006, the Police Authority issued an Objection Notice under Section 104 of the Licensing Act 2003 in respect of the applications. A copy of the Objection Notice follows:

6. OBSERVATIONS

- 6.1 In determining this application, the Committee must have regard to the Police Authority's Objection Notice.
- 6.2 In making its decision, the Licensing and Appeals Committee must act with a view to promoting the Licensing Objective of the prevention of crime and disorder.
- 6.3 The Licensing and Appeals Committee has the following options when issuing the Decision Notice:
 - i) Grant the Application as made, or
 - ii) Refuse the Application and issue a Counter Notice under Section 105 of the Licensing Act 2003.
- 6.4 The Licensing Authority must,
 - (a) in a case where it decides not to give a Counter Notice under Section 105 of the Licensing Act 2003, give the premises user and the relevant chief officer of police notice of the decision, and
 - (b) in any other case,
 - (i) give the premises user the Counter Notice and a notice stating the reasons for its decision, and
 - (ii) give the relevant chief officer of police a copy of both of those notices.

7. CONTACT OFFICERS

- 7.1 Steve Cobb, Licensing and Enforcement Officer – Telephone 01462 474833