

29 October 2009

Our ref: LAC 13 November 2009
Your ref:
Contact: Ian Gourlay
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To: Councillors: P. Clark, M. Kirkland and M. Weeks.

Dear Councillor,

A meeting of the

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

will be held in

**The Council Chamber
COUNCIL OFFICES, GERON ROAD,
LETCWORTH GARDEN CITY**

on

FRIDAY, 13 NOVEMBER 2009

at

10.00 a.m.

To hear the following application under the Licensing Act 2003:

**APPLICATION BY ROYSTON TOWN FOOTBALL CLUB FOR THE GRANT OF A
PREMISES LICENCE RESPECT OF ROYSTON TOWN FOOTBALL CLUB, 10-12
GARDEN WALK, ROYSTON, HERTS. SG8 7HP**

Yours sincerely,



David Miley
Democratic Services Manager

**NORTH HERTFORDSHIRE DISTRICT COUNCIL
LICENSING ACT 2003
HEARING PROCEDURE**

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| <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; • officers of responsible authorities; • interested parties (objectors); and • the applicant. | |
| <p>2. The Chair will outline the procedure for the hearing</p> | |
| <p>3. The Chair will ask the Legal Advisor to outline the matters for consideration during the course of the hearing.</p> | |

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| <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; if there has been any changes to the application, and if so, if all interested parties and responsible authorities have been made aware of the changes</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 responsible authorities submit their case</u></p> <p>7. The Chair will ask the responsible authorities, in turn, to present their submissions to the Sub-Committee</p> <p>8. The Chair will ask if there are any questions of fact of the responsible authority</p> <p>9. The Sub-Committee may ask questions of the responsible authority</p> <p>The above process will be repeated if there is more than one responsible authority</p> | |
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| <p><u>The interested parties submit their case</u></p> <p>10. The Chair will ask the interested parties, in turn, to present their submissions to the Sub-Committee</p> <p>11. The Chair will ask if there are any questions of fact of the interested parties</p> <p>12. The Sub-Committee may ask questions of the interested parties</p> | |
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| <p><u>The applicants case</u></p> <p>13. The Chair will ask the applicant to present their submissions to the Sub-Committee</p> <p>14. The Chair will ask if there are any questions of fact of the applicant</p> <p>15. The Sub-Committee may ask questions of the applicant</p> | |
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| <p><u>Closing statements</u></p> <p>16. The Licensing Officer may make final submissions to the Sub-Committee</p> <p>17. The responsible authorities, in turn, may make final submissions to the Sub-Committee</p> <p>18. The interested parties, in turn, may make final submissions to the Sub-Committee</p> <p>19. The Applicant may make final submissions to the Sub-Committee</p> | |
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| <p><u>Conclusion</u></p> <p>20. The Legal Advisor will summarise any legal points that have arisen during the hearing and will answer any legal questions from the Sub-Committee.</p> <p>21. The Sub-Committee will close the hearing and retire to make a decision.</p> <p>22. Where possible, the Chair will announce the Sub-Committee's decision and will give reasons for the decision.</p> | |
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LICENSING AND APPEALS COMMITTEE
13th November 2009

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

LICENSING ACT 2003

**APPLICATION BY ROYSTON TOWN FOOTBALL CLUB FOR THE GRANT OF A
PREMISES LICENCE IN RESPECT OF ROYSTON TOWN FOOTBALL CLUB,
10-12 GARDEN WALK, ROYSTON, HERTFORDSHIRE. SG8 7HP**

**REPORT OF THE STRATEGIC DIRECTOR OF PLANNING,
HOUSING AND ENTERPRISE**

1. BACKGROUND

- 1.1 The premises currently holds a Club Premises Certificate under the Licensing Act 2003.
- 1.2 It is the intention of the applicant to surrender the current Club Premises Certificate if a Premises Licence is granted. Whilst it is the intention to continue operating the premises predominately as a Members' Club, a premises licence would provide flexibility to allow the public to hire the premises without the need to apply for Temporary Event Notices.
- 1.3 A copy of the current Club Premises Certificate is attached as follows:

2. APPLICATION

2.1 The application is for the grant of a Premises Licence under Section 17 of the Licensing Act 2003.

2.2 The licensable activities and hours applied for are as follows:

2.3 During the consultation period, the applicants made the following amendments to the application following negotiations with the Police. These amendments now form part of the application and it is the amended application that the Sub-Committee is considering today.

3. APPLICATION PROCESS

- 3.1 On the 18th September 2009, Royston Town Football Club made an application for the Grant of a Premises Licence.
- 3.2 The Applicants served copies of this application to Hertfordshire Constabulary and the other Responsible Authorities.
- 3.3 A Public Notice was displayed on the premises and was exhibited for a period of 28 days. A newspaper advertisement was placed in The Royston Weekly News on 24th September 2009.

4. REPRESENTATIONS

- 4.1 No representation was received from Hertfordshire Constabulary following the applicants' agreement to amend the application.
- 4.2 No representations were received from any other Responsible Authority.
- 4.3 Eleven representations were originally received from Interested Parties. However following notification of the amended application two representations were withdrawn.
- 4.4 The Council's Scheme of Delegation in respect of the Licensing Act 2003 requires the Licensing Officer to determine whether a representation is relevant as specified by the Act.

Where representations include paragraphs that are not relevant to the Licensing Act 2003, these paragraphs have been clearly marked as 'not relevant' and should not be considered as part of the determination process.

- 4.5 The relevant representations are as follows:

- 4.6 Where representations include sections that are not relevant to the Licensing Act 2003, these sections have been clearly marked as 'not relevant' and should not be considered as part of the determination process. The Interested Parties have been notified in writing of the paragraphs deemed not relevant by way of this Report.
- 4.7 The Applicant has been served with a copy of the representations.
- 4.8 The Applicant and Interested Parties have been invited to attend the hearing to present their respective cases. They have been advised that they may be legally represented and of the Committee Hearing procedure.

5. OBSERVATIONS

- 5.1 In determining this application, the Committee must have regard to the representations and take such steps, as it considers necessary for the promotion of the Licensing Objectives.
- 5.2 In making its decision, the Licensing and Appeals Committee must act with a view to promoting the Licensing Objectives. It must also have regard to the Licensing Authority's Statement of Licensing Policy and National Guidance.
- 5.3 The Licensing and Appeals Committee has the following options when issuing the Decision Notice:
- i) To modify, add to, or omit conditions of the licence;
 - ii) To refuse the application in part;
 - iii) To refuse the whole application.

6. CONTACT OFFICERS

- 6.1 Tim Hobman
Licensing and Enforcement Officer
01462 474370