

4 August 2006

Our ref: LAC 21 August 2006
Your ref:
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To: Councillors: J. Cunningham, Lorna Kercher & Lawrence McNamara.

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

MONDAY, 21 AUGUST 2006

at

4.30 p.m.

**(NOTE: THIS HEARING WILL FOLLOW
THE BUSHEL AND STRIKE, ASHWELL APPLICATION)**

To hear the following application under the Licensing Act 2003:

**APPLICATION BY MR S UDDIN FOR A PREMISES LICENCE IN RESPECT OF
THE BLUE MANGO, 9 BUCKLESBURY, HITCHIN, HERTS SG5 1BB**

Yours sincerely,



David Miley
Democratic Services Manager

**NORTH HERTFORDSHIRE DISTRICT COUNCIL
LICENSING ACT 2003
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; • 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>	

<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
21st August 2006

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

2

LICENSING ACT 2003

APPLICATION BY MR S UDDIN FOR A PREMISES LICENCE (section 17 Licensing Act 2003) IN RESPECT OF THE BLUE MANGO, 9 BUCKLESBURY, HITCHIN, HERTS, SG5 1BB.

REPORT OF THE STRATEGIC DIRECTOR OF FINANCIAL AND REGULATORY SERVICES

1. PREMISES LICENCE APPLICATION DETAILS

1.1 The application is for a Premises Licence (New) under Section 17 of the Licensing Act 2003.

1.2 The licensable activities and hours applied for are:

See application below.

2. THE APPLICATION

- 2.1 On the 25th April 2006 (re-submitted on the 27th June 2006) Mr Shahab Uddin made an application for the grant of a Premises Licence.
- 2.2 The Applicant served copies of this application to the Police Authority and the other Responsible Authorities.
- 2.3 A Public Notice was displayed on the premises and was exhibited for a period of 28 days (dated 15th April 2006, and currently still on display). A newspaper advertisement was placed in the Advertiser, dated 12th April 2006.

3. REPRESENTATIONS

- 3.1 Representations were received from the following Responsible Authorities:
 - Fire & Rescue Services
- 3.2 Nil representations were received from Interested Parties living in the vicinity of the premises.

- 3.3. The Applicant has been served with a copy of the representations.
- 3.4. 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.
- 3.5. If an independent party has asked for their personal details to be withheld for the purpose of this report, the independent party will be asked to supply this information in public at the hearing.

4. OBSERVATIONS

- 4.1 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.
- 4.2 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.
- 4.3 The Licensing and Appeals Committee has the following options when issuing the Decision Notice:
 - i) Grant the Application as made
 - ii) Grant the Application with conditions. Conditions should only be added where they are necessary to promote the Licensing Objectives.
 - iii) Refuse the Application.

5. CONTACT OFFICERS

- 5.1 Heather Morris, Licensing & Enforcement Officer – Telephone 01462 474370