

2 June 2006

Our ref: LAC 19 June 2006
Your ref:
Contact: Ian Gourlay
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To: Councillors: A. Bardett, P. Clark and J.Kirby.

Dear Councillor,

A meeting of the

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

will be held in

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

on

MONDAY, 19 JUNE 2006

at

2.30 p.m.

To hear the following application under the Licensing Act 2003:

**APPLICATION BY CO-OPERATIVE (CWS) GROUP FOR A VARIATION TO
PREMISES LICENCE TO SPECIFY A DESIGNATED PREMISES SUPERVISOR
(DPS) IN RESPECT OF ALLDAYS STORES, 11 ARENA PARADE,
LETCHWORTH GARDEN CITY, HERTS. SG6 3BY**

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 Licensing Officer 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><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 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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The interested parties submit their case

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

The applicants case

13. The Chair will ask the applicant to present their submissions to the Sub-Committee
14. The Chair will ask if there are any questions of fact of the applicant
15. The Sub-Committee may ask questions of the applicant

Closing statements

16. The licensing officer may make final submissions to the Sub-Committee
17. The responsible authorities, in turn, may make final submissions to the Sub-Committee
18. The interested parties, in turn, may make final submissions to the Sub-Committee
19. The Applicant may make final submissions to the Sub-Committee

Conclusion

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.
21. The Sub-Committee will close the hearing and retire to make a decision.
22. Where possible, the Chair will announce the Sub-Committee's decision and will give reasons for the decision.

LICENSING AND APPEALS COMMITTEE 19th June 2006
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*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No.
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LICENSING ACT 2003

**APPLICATION BY CO-OPERATIVE (CWS) GROUP LTD FOR A VARIATION TO
PREMISES LICENCE TO SPECIFY A DPS IN RESPECT OF 11 ARENA PARADE,
LETCWORTH GARDEN CITY, HERTFORDSHIRE, SG6 3BY.**

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

**1. CURRENT LICENCE ISSUED BY THE LICENSING AUTHORITY UNDER
THE LICENSING ACT 2003.**

The existing Premises Licence was granted by North Hertfordshire District Council on 23rd August 2005. A copy of the licence is enclosed as follows:

2. VARIATION APPLICATION

- 2.1 The application is to vary a Premises Licence to specify a DPS under Section 37 of the Licensing Act 2003.
- 2.2 The application seeks to remove the existing DPS, Linda Blair, and replace her with Kimberley Dawn Dingley.
- 2.3 Section 37(5) allows the chief officer of police to object to the application if he is satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective (The prevention of crime and disorder).
- 2.4 Section 38 allows for the application to take immediate effect and remain in interim effect until such time as the application is determined, therefore, Kimberley Dawn Dingley has been acting as DPS since the application was made on 11th May 2006.

See application below.

3. THE APPLICATION

3.1 On the 11th May 2006, Co-operative (CWS) Group Ltd made an application for the variation of the existing Premises Licence to specify a DPS.

3.2 The Applicant served copies of this application to the Police.

4. REPRESENTATIONS

4.1 A representation was received from the Police and is enclosed as follows:

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 crime prevention Licensing Objective.
- 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 grant the application
 - ii) To refuse the application

6. CONTACT OFFICERS

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