

4 July 2006

Our ref: LAC 19 July 2006
Your ref:
Contact: Ian Gourlay
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To: Councillors: S. Bloxham, J. Cunningham & G. Grindal

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

WEDNESDAY, 19 JULY 2006

at

6.30 p.m.

To hear the following application under the Licensing Act 2003:

**APPLICATION BY McMULLEN & SONS LTD FOR A VARIATION TO PREMISES
LICENCE IN RESPECT OF THE GLOBE PUBLIC HOUSE, 115 HIGH STREET,
CODICOTE, HERTS. SG4 8UA**

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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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 July 2006 ~ 18:30hrs

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

LICENSING ACT 2003

**APPLICATION BY MC.MULLEN & SONS, LIMITED FOR A VARIATION TO
PREMISES LICENCE IN RESPECT OF THE GLOBE PH, 115 HIGH STREET,
CODICOTE, SG4 8UA.**

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

1. BACKGROUND

- 1.1 McMullen and Sons, Limited currently holds the Premises Licence at the premises named above which was issued by North Herts District Council on the 19th August 2006. Recently the DPS was varied, and this licence was granted on the 30th March 2006.

2. PREMISES LICENCE APPLICATION DETAILS

- 2.1 The application is for a variation of a premises licence, section 34 of the Licensing Act 2003.
- 2.2 The licensable activities and hours applied for are: -
- See application form below

3. THE APPLICATION

- 3.1 On the 4th May 2006, McMullens and Sons, Limited made an application to vary a premises licence.
- 3.2 The Applicant served copies of this application to the Police Authority and the other Responsible Authorities.
- 3.3 A public notice was displayed on the premises and was exhibited for a period of 28 days.

It was noted that this notice was not displayed immediately after the application was served, which resulted in the 28 day consultation period re-commencing as of the 24th May 2006.

- 3.4 A newspaper notice was placed in The Comet, dated the 11th May 2006.

4. REPRESENTATIONS

4.1 Representations were received from the following responsible authorities: -

Environmental Health, Noise Pollution

4.2 1 representation was received from an interested party living in the vicinity of the premise relating to the following licensing objectives: -

Prevention of public nuisance

- 4.3 The applicant has been served with a copy of the representations.
- 4.4 The applicant, responsible authorities 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 procedures.
- 4.5 If an interested party has asked for their personal details to be withheld for the purpose of this report, the interested party will be asked to supply this information as part of their presentation, should they attend the hearing.

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) 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.

6. CONTACT OFFICERS

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