

21 August 2007

Our ref: LAC 6 September 2007
Your ref:
Contact: Ian Gourlay
Direct Dial No: 01462 474403
E-mail: ian.gourlay@north-herts.gov.uk

To: Councillors: T. Brindley, P. Clark & 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

THURSDAY, 6 SEPTEMBER 2007

at

2.00 p.m.

To hear the following application under the Licensing Act 2003:

**APPLICATION BY JILL WINGFIELD FOR THE GRANT OF A PREMISES LICENCE
IN RESPECT OF LETCWORTH TENNIS CLUB, MUDDY LANE, LETCWORTH
GARDEN CITY, HERTFORDSHIRE SG6 3TB**

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 6th September 2007
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*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No.
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LICENSING ACT 2003

**APPLICATION BY JILL WINGFIELD FOR THE GRANT OF A PREMISES
LICENCE IN RESPECT OF LETCHWORTH TENNIS CLUB, MUDDY LANE,
LETCWORTH GARDEN CITY, HERTFORDSHIRE, SG6 3TB.**

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

1. BACKGROUND

The premises currently hold a Club Premises Certificate under the Licensing Act 2003, details as follows:

This Club Premises Certificate was granted following an application to convert an existing licence during the transitional period.

It is the intention of the Club to surrender its existing Club Premises Certificate if this application for a Premises Licence is successful.

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 applicant amended the application, following discussions with the Police, as follows:

Page 17 of the application under Non-Standard Timings of Section M, the following is added

The Designated Premises Supervisor (DPS) will notify the Police Licensing Department at Hitchin Police Station on all occasions when non-standard timings for licensable activities will apply. A minimum of seven working days notice must be given, which on every occasion be in writing and include the nature of the event, numbers of persons attending and, if the DPS is not present, the name of the staff member supervising the premises.

This amendment was offered by the applicant during the consultation period and so forms part of the final application.

3. APPLICATION PROCESS

- 3.1 On 17th July 2007, Jill Wingfield made an application for the grant of a Premises Licence.
- 3.2 The Applicant served copies of this application to the Police Authority and the other Responsible Authorities
- 3.3 Public notices were displayed around the premises in accordance with the requirements of the Licensing Act 2003 and were exhibited for a period of not less than 28 days. A newspaper advertisement was placed in a local newspaper.

4. REPRESENTATIONS

- 4.1 No representation was received from the Hertfordshire Constabulary.
- 4.2 No representations were received from any other Responsible Authority.
- 4.3 13 representations were received from Interested Parties and are enclosed as follows:

- 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.

Interested Parties have been informed of the Licensing Officer's decision in writing by way of a copy of this Report.

- 4.5 The Applicant has been served with a copy of the representations.
- 4.6 The Applicant and the 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 Sub-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 Sub-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 Sub-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 Steve Cobb, Licensing and Enforcement Officer – Telephone 01462 474833.