

26 April 2007

Our ref: LAC 14 May 2007
Your ref:
Contact: Tim Hobman
Direct Dial No: 01462 474353
E-mail: tim.hobman@north-herts.gov.uk

To: Councillors: D.J. Barnard, A. Bardett and J. Cunningham

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 14 MAY 2007

at

4.00 p.m.

To hear the following application under the Licensing Act 2003:

**APPLICATION BY ADRIAN KNIGHT FOR THE GRANT OF A TIME SPECIFIC
PREMISES LICENCE IN RESPECT OF MARKET PLACE, HIGH STREET, and THE
ARCADE, HITCHIN, HERTFORDSHIRE.**

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>	
---	--

<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>	
--	--

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 14th May 2007

*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No.
----------------------------------	------------------------

LICENSING ACT 2003

**APPLICATION BY ADRIAN KNIGHT FOR THE GRANT OF A TIME-SPECIFIC
PREMISES LICENCE IN RESPECT OF MARKET PLACE, HIGH STREET and THE
ARCADE, HITCHIN, HERTFORDSHIRE.**

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

1. BACKGROUND

The premises do not currently hold any licence under the Licensing Act 2003 as, although this is an annual event, a time-specific application is submitted each year. A Premises Licence is sought for the dates of Saturday 14th July 2007 and Sunday 15th July 2007 only.

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:

See following application

- 2.3 The application form refers to the Rhythms of the World Event Safety File that forms part of the proposed Premises Licence's Operating Schedule. The Event Safety File is attached as Appendix A.

3. APPLICATION PROCESS

- 3.1 On 7th March 2007, Adrian Knight 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 and were exhibited for a period of not less than 28 days. A newspaper advertisement was placed in The Comet.

4. REPRESENTATIONS

- 4.1 A representation was received from the Hertfordshire Constabulary and is attached below:

4.2 A representation was received from North Hertfordshire District Council's Building Control Manager and is attached below:

- 4.3 No representations were received from any other Responsible Authority
- 4.4 A representation was received from an Interested Party and is enclosed below. The name and address of the Interested Party has been withheld from this Public Report, however, it has been notified to the Applicant and the Sub-Committee so that they may fully consider the representation. The Interested Party has been advised that they will have to identify themselves by means of name and address should they wish to address the Sub-Committee at the hearing.

- 4.5 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.
- 4.6 The Applicant has been served with a copy of the representations.
- 4.7 The Applicant, Hertfordshire Constabulary, North Hertfordshire District Council's Building Control Manager and the Interested Party 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) 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.

7. APPENDICES

- 7.1 Appendix A – Rhythms of the World Event Safety File