

8 November 2007

Our ref: LAC 23 November 2007
Your ref:
Contact: Nigel Schofield
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To: Councillors: A. Bardett, D. Barnard & 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

FRIDAY, 23 NOVEMBER 2007

at

10.00 a.m.

To hear the following application under the Licensing Act 2003:

**APPLICATION BY RUSHLAND LIMITED FOR A VARIATION OF A PREMISES
LICENCE IN RESPECT OF THE NU BAR, ROYSIA HOUSE, MARKET HILL,
ROYSTON, HERTFORDSHIRE SG8 9JJ**

Yours sincerely,



David Miley
Democratic Services Manager

LICENSING AND APPEALS COMMITTEE
23rd November 2007

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

1

LICENSING ACT 2003

**APPLICATION BY RUSHLAND LIMITED FOR A VARIATION TO PREMISES
LICENCE IN RESPECT OF NU BAR, ROYSIA HOUSE, MARKET HILL,
ROYSTON, HERTFORDSHIRE, SG8 9JJ.**

**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 originally granted by North Hertfordshire District Council on 18th August 2005. The original premises licence has been subject to various applications to transfer the licence, to vary the DPS, to vary the licence and to review the licence. A copy of the current licence is enclosed as follows:

2. VARIATION APPLICATION

- 2.1 The application is for variation of a Premises Licence under Section 34 of the Licensing Act 2003.
- 2.2 The application is to revise the permitted hours for licensable activities on Saturday evenings and to amend the plan to incorporate a designated smoking area outside of the premises. The application is enclosed below:

- 2.3 During the consultation period, the applicants reached agreement with the Police and NHDC's Environmental Protection Officer in respect of concerns that the two responsible authorities raised.
- 2.4 In response to these negotiations, the applicants offered some amendments to the application that allowed the Police and NHDC's Environmental Protection Officer not to make a representation.
- 2.5 Those amendments now form part of the application which the Sub-Committee must consider and are attached as follows:

3. THE APPLICATION

- 3.1 On the 28th September 2007, Rushland Limited made an application for the variation of the existing 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. A newspaper advertisement was placed in accordance with the legislation.

4. REPRESENTATIONS

- 4.1 No representation was received from Hertfordshire Constabulary following the amendments to the application.
- 4.2 No representation was received from NHDC's Environmental Protection Officer following the amendments to the application.
- 4.3 No representation was received from any other Responsible Authority.
- 4.4 Three representations were received from Interested Parties and are enclosed below:

- 4.5 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 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 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) To modify, add to, or omit conditions of the licence;
 - ii) To refuse the application in part;
 - iii) To refuse the whole application.

6. CONTACT OFFICERS

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