

13 November 2007

Our ref: LAC 30 November 2007  
Your ref:  
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To: Councillors: D. Barnard, J. Cunningham & M. Kirkland

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

**FRIDAY, 30 NOVEMBER 2007**

at

**10.00 a.m.**

To hear the following application under the Licensing Act 2003:

**APPLICATION BY REMIX UK LTD FOR THE GRANT OF A PREMISES LICENCE IN  
RESPECT OF THE REMIX NIGHTCLUB, 20/21 HERMITAGE ROAD, HITCHIN,  
HERTFORDSHIRE SG5 1BT**

Yours sincerely,



David Miley  
Democratic Services Manager

**LICENSING AND APPEALS COMMITTEE**  
**30<sup>th</sup> November 2007**

**\*PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**LICENSING ACT 2003**

**APPLICATION BY REMIX UK LTD FOR THE GRANT OF A PREMISES LICENCE  
IN RESPECT OF REMIX, 20/21 HERMITAGE ROAD, HITCHIN, HERTFORDSHIRE,  
SG5 1BT.**

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

**1. BACKGROUND**

- 1.1 The premises does not currently hold a Premises Licence under the Licensing Act 2003.
- 1.2 The premises was previously licensed under the Licensing Act 2003 and traded as Club Zest. The company operating the club, however, was dissolved on 17<sup>th</sup> October 2006 and the Premises Licence automatically lapsed.

**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. This amendment now forms part of the application that the Sub-Committee must consider. Details of the amendment are as follows:

### **3. APPLICATION PROCESS**

- 3.1 On 9<sup>th</sup> July 2007, Remix UK Ltd made an application for the grant of a Premises Licence. This application was subsequently suspended whilst additional information was obtained from the applicant. The application then re-commenced on 8<sup>th</sup> October 2007.
- 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 in accordance with the Act.

### **4. REPRESENTATIONS**

- 4.1 No representation was received from Hertfordshire Constabulary following the amendment to the application.
- 4.2 A representation was received from Hertfordshire Trading Standards and is enclosed as follows:

- 4.3 No representations were received from any other Responsible Authority.
- 4.4 Twelve representations were received from Interested Parties. Due to the application being advertised twice, upon initial lodging of the application prior to suspension and when the application process re-commenced, some Interested Parties submitted more than one representation. All representations received have been included.
- 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 relevant representations are as follows:

- 4.7 The Applicant has been served with a copy of the representations.
- 4.8 The Applicant, Hertfordshire Trading Standards 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.