

21 September 2007

Our ref: LAC 21 September 2007
Your ref:
Contact: Ian Gourlay
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To: Councillors: A. Bardett, T. Brindley & P. Clark

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, 8 OCTOBER 2007

at

2.30 p.m.

To hear the following application under the Licensing Act 2003:

**APPLICATION BY THE CLOISTERS CLUB OF MASONIC LODGES FOR A
VARIATION TO CLUB PREMISES LICENCE IN RESPECT OF THE LAWRENCE
CLOISTERS TRUST LTD, BARRINGTON ROAD, LETCHWORTH GARDEN CITY,
HERTFORDSHIRE SG6 3TH**

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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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 8th October 2007
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*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No.
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LICENSING ACT 2003

**APPLICATION BY THE CLOISTERS CLUB OF MASONIC LODGES FOR A
VARIATION TO CLUB PREMISES CERTIFICATE IN RESPECT OF THE
LAWRENCE CLOISTERS TRUST LTD, BARRINGTON ROAD, LETCHWORTH
GARDEN CITY, HERTFORDSHIRE. SG6 3TH**

**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 Club Premises Certificate was originally granted by North Hertfordshire District Council on 23RD July 2005. A copy of the licence is enclosed as follows:

2. VARIATION APPLICATION

- 2.1 The application is for variation of a Club Premises Certificate under Section 84 of the Licensing Act 2003.
- 2.2 The application is to extend the permitted hours for the Supply of Alcohol and to include the application for Live Music; Recorded Music; Anything of a similar description to that falling within E, F or G; The provision of facilities for making music; and The provision of facilities for dancing. The application is enclosed below:

3. THE APPLICATION

- 3.1 On the 13th August 2007, The Cloisters Club of Masonic Lodges made an application for the variation of the existing Club Premises Certificate.
- 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 the Comet.

4. REPRESENTATIONS

- 4.1 No representation was received from Hertfordshire Constabulary.
- 4.2 No representation was received from any other Responsible Authority.
- 4.3 Two representations were initially received from Interested Parties.
- 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.

Interested Parties whose representations have been deemed not relevant have been informed of the Licensing Officer's decision in writing.

- 4.5 Both representations were deemed to be relevant either in whole or in part.

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.

The relevant representations are as follows:

- 4.5 The Applicant has been served with a copy of the representations.
- 4.6 The Applicant 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 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