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Hatfield Town Council

Council Offices, Kennelwood, Town Centre, Hatfield, Herts AL10 0LG

Town Clerk: *PETER CLARK, ACIS ACIB*

Mr Simon Richardson
Licensing Guidance Review Team
Tourism Division
6th Floor
Department for Culture, Media and Sport
2-4 Cockspur Street
London
SW1Y 5DH

9 March 2007

Dear Mr Richardson

CONSULTATION ON REVISED GUIDANCE MADE UNDER SECTION 182 OF THE LICENSING ACT 2003.

The Town Council has considered your Consultation Document and, with the help of reference to both the existing guidance and the proposed guidance, wishes to reply as follows.

Questions 1 and 2.

Whilst the Council agrees with the current guidance on vicinity it is extremely concerned at the interpretation of the wording in Sections 13 and 69 of the 2003 Act of an "Interested Party" particularly that of "a body representing persons who live in the vicinity".

Town and Parish Councils are democratically elected bodies one of whose primary roles is to represent persons living in their parish, be it a village or a town. They should be able to do this without receiving a specific request from an individual. In our view it should be made clear to Licensing Authorities that the fair interpretation of Paragraphs 5.32 and 5.33 would be to allow Parish and Town Councils to make representations in their own right.

We will refer to this again in our answers to questions 11 and 12 as well as 31.

Questions 3 and 4.

We agree with the proposed amendment.

Questions 5 and 6.

We agree that the current Guidance should remain unchanged.

Questions 7,8,9 and 10.

We agree with option 2 as there needs to be a national consistency, particularly where individual licensing authorities are dealing with national chains who may “pick off” licensing authorities one at a time to achieve their aims.

We are concerned that this could possibly inhibit the promotion of innovative conditions by all involved but do not believe that the benefits of removing Annexes D-H would outweigh the disadvantages. The Department should write to the police, other responsible authorities and licensing authorities reminding them of the need to “look outside the box”.

Questions 11 and 12.

We agree that the current guidance on the role of Ward Councillors should be further clarified and expanded as proposed. We note, however, that Ward Councillors do not seem to be treated in the same restrictive way as Parish and Town Councils as you are proposing that they can make representations as an interested party in their own right. That wording should be extended to include Town and Parish Councils.

Question 13 and 14.

We agree with the proposed amendments.

Questions 15 and 16.

We agree with the proposed amendments.

Question 17 and 18.

We agree that the Guidance should remain uncharged.

Questions 19 and 20.

We agree with the proposed amendments

Questions 21 and 22.

We agree with the proposed amendments

Questions 23 and 24.

We agree with the proposed amendments

Questions 25 and 26.

We agree with the removal of chapter 11.

Questions 27 and 28.

We agree with the deletion of Chapters 12 and 14.

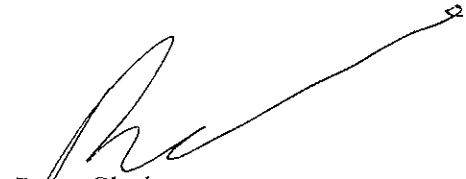
Questions 29 and 30.

We are happy with the overall format of the revised Guidance.

Question 31.

We must repeat again the need to give a greater role to Town and Parish Councils as the democratically-elected representatives of their communities.

Sincerely



Peter Clark
Town Clerk

