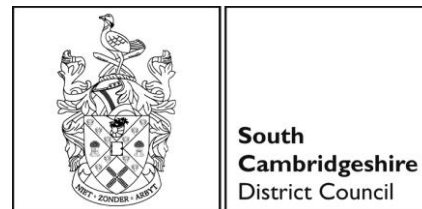


South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500
f: 01954 713149
www.scambs.gov.uk



23 June 2017

To: Chairman – Councillor Cicely Murfitt
Members of the Licensing (2003 Act) Sub-Committee – Councillors
Anna Bradnam and Charles Nightingale

Applicant: Grantchester Parish Council

Dear Sir/Madam

Please find below the agenda, and attached the relevant papers, for the hearing by the **LICENSING (2003 ACT) SUB-COMMITTEE** of the application for . The hearing will be held in the **SWANSLEY ROOM B, GROUND FLOOR** meeting room at South Cambridgeshire Hall on **MONDAY, 3 JULY 2017 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
Alex Colyer
Interim Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

AGENDA		PAGES
1.	DECLARATIONS OF INTEREST	
2.	INTRODUCTIONS / PROCEDURE The Chairman will introduce the members of the Sub-Committee and the officers in attendance at the meeting. A copy of the Licensing (2003 Act) Committee procedure is attached.	1 - 2
3.	REQUEST FOR DESIGNATION OF CONSENT STREET - BROADWAY, GRANTCHESTER	3 - 6

OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Working Together
- Integrity
- Dynamism
- Innovation

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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Security

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- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

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If you feel unwell or need first aid, please alert a member of staff.

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We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

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Disturbance by Public

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

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Agenda Item 2

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

LICENSING ACT 2003 COMMITTEE

HEARING PROCEDURE

1. Introduction

- The Chairman of the sub-committee will welcome and introduce everyone present, giving explanations of roles where necessary, and outline the procedure to be followed.
- The hearing will take the form of a discussion to be led by the sub-committee.
- Members of the sub-committee will be able to ask questions of any party, or the Licensing Officer, at the hearing. They will try, so far as possible, to ask their questions at the conclusion of each party's submission.
- The sub-committee will consider any requests for permission to ask questions of other parties. It will decide if questions are required in order for it to consider the case properly. If permission is given to one party, it will usually be given to all other parties.
- The Chairman may ask any person behaving in a disruptive manner to leave and may refuse to permit that person(s) to return or may permit them to return with specified conditions. Such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.
- Members of the sub-committee will be asked to make any Declaration of Interests.

2. Witnesses

The sub-committee will consider any requests from any of the parties to call witnesses.

3. New evidence/information

The sub-committee will consider any requests for permission to present new evidence or information not previously disclosed to all the parties and the sub-committee prior to the hearing. The general rule is that such information or evidence must not be considered unless all parties at the hearing agree to it being considered on the day of the hearing. A request may be made for a short adjournment to allow time for everyone to receive copies of the extra information and time to read it.

4. Allocation of time

Each party will be asked for a time estimate for the presentation of their case. The sub-committee will hear all estimates and then allocate each party an equal amount of time to speak.

5. Licensing Officer's report

The Council's Licensing Officer will outline details of the application and representations received by the council. No recommendation to members will be made.

6. Applicant's case

The applicant will present their case first. They have a right to:

- address the sub-committee on any points of clarification the council has sought;
- address the committee generally; and
- call any witnesses that they have been given permission to call. Witnesses may be cross-examined if permission is granted. If this happens, the time taken for questions will count towards the allocated time of the party asking the questions, not the party answering them.

Members of the sub-committee may ask questions of the applicant.

7. Police representations

The Police will make any representations about the application, with the same rights as listed at s.6.

Members of the sub-committee may ask questions of the police representative.

8. "Responsible authorities" representations

Other "responsible authorities" (Police/Fire/Environmental Health Officer/Social Services/Trading Standards/Planning Directorate) will then make representations, with the same rights as listed at s.6.

Members of the sub-committee may ask questions of those authorities represented.

9. Any other representations

Anybody else making representations will go last, with the same rights listed at s.6.

Members of the sub-committee may ask questions of any person who has made a representation.

10. Legal advice

Once all parties have presented their cases to the sub-committee, and the members of the sub-committee have no more questions for any of the parties, the Council's Legal Officer will be asked to outline any relevant legal guidance.

11. Decision-making

The sub-committee will then retire to another room to make its decision. The Council's Legal Officer and Clerk will accompany members to advise where necessary and take notes of the decision.

12. Notification of decision

Depending on the nature of the application, a determination of the case will either be made at the conclusion of the hearing, or within 5 working days. In most cases, all parties will be notified of the decision in writing.

Agenda Item 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Licensing Appels Sub-Committee	3 July 2017
AUTHOR/S:	Corporate Manager Health & Environmental Services/ Licensing Officer	

REQUEST FOR DESIGNATION OF CONSENT STREET – BROADWAY, GRANTCHESTER

Purpose

1. To consider a request from Grantchester Parish Council for all Broadway to be designated a consent street under the Local Government (Miscellaneous Provisions) Act 1982.

Background

2. A request from the Parish Council was received on 13th February 2017 to designate Broadway, Grantchester consent street status to control street trading on this road (**Appendix A**). There has been a recent history of a street trader parking up on the Broadway to prepare and sell food. Because of the restricted width of the road and the size of the trailer, there have been issues with the vehicle causing an obstruction to the highway and for vehicles driving through the village.
3. If the request is approved, the process involves listing the relevant street in a public notice of intention, consulting the local member(s), Police and Highways Authorities that then allows twenty-eight days for representations. The Licensing Committee will then consider such representations and may resolve or refuse the designation request. If the decision is to confirm the designation, then the resolution will be advertised by public notice on two further occasions.

Considerations

4. If Broadway, Grantchester was granted consent street status, consultations would be made by the Council on any application made to trade on that particular street. The advantage to having consent street status would be that the Parish Council has an input into any application. Also the trader would hold a licence and then be bound by conditions set by the Licensing Officer. If a village or street does not have consent Street status, any trader could lawfully trade without requiring permission or being licensed.
5. The introduction of the Licensing Act 2003 will have an effect on mobile food traders that wish to serve hot food after 11.00pm at night, as they will be classed as late night refreshment premises and therefore also require an additional licence under the above act.

Financial Implications

6. There will be an advertising fee as part of the consultation which is estimated as approximately £300 per insertion.

Legal Implications

7. As included in the report.

Staffing Implications

8. There are no additional staffing implications.

Consultations

9. Application will be made to the relevant Highways Authority and Police once committee has given approval.

Recommendations

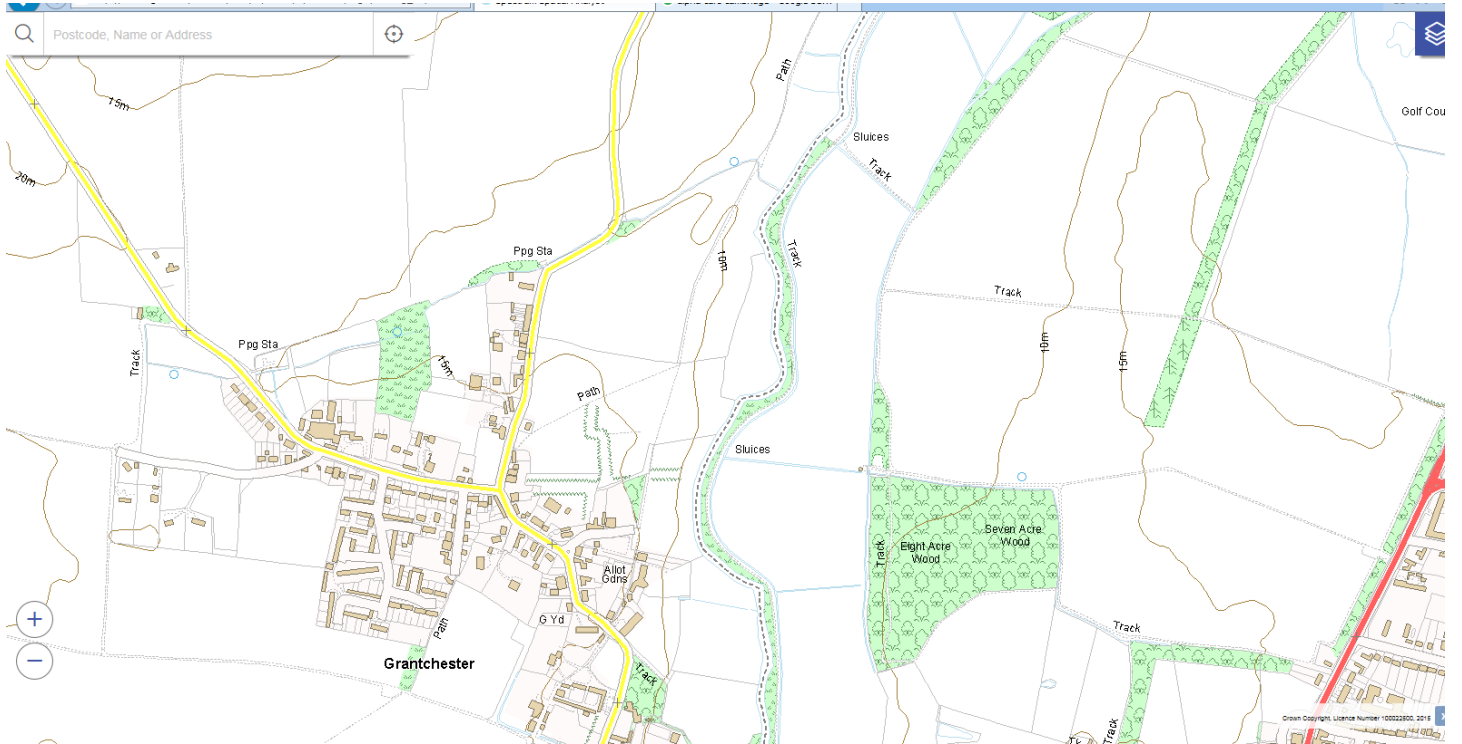
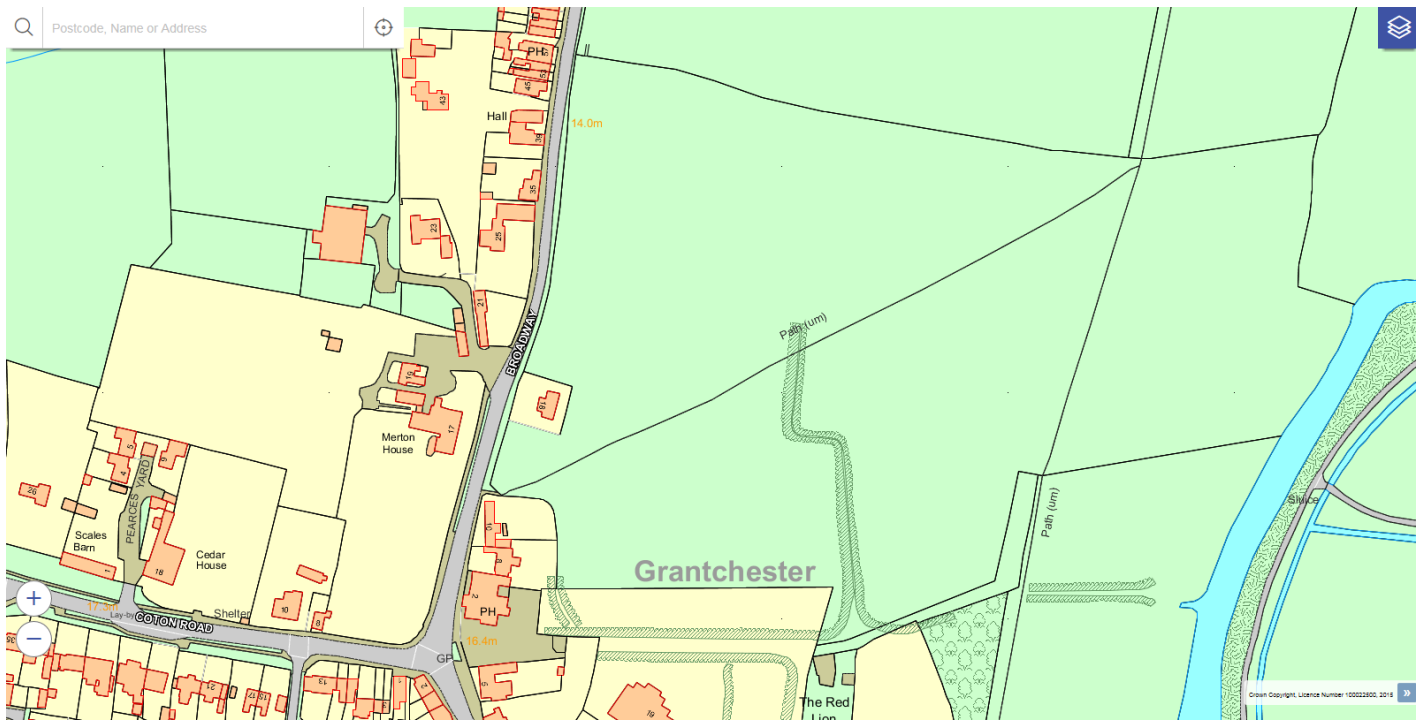
10. To recommend that the Licensing Committee agree to the request from Grantchester Parish Council for Broadway in the village to be designated as a consent street.

Options

11. Members may either:
 - (a) Permit the consultation as applied for
 - (b) Amend the consultation
 - (c) Deny the consultation

Background Papers: None

Contact Officer: John Goodwin, Regulatory Enforcement Officer, Tel: (01954) 713476



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