

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL  
LICENSING (2003 ACT) SUB-COMMITTEE**

**Date of Hearing:** 1 February 2019  
**Applicant's Name:** Luigi Lanni  
**Premises Address:** LJ's Sandwich Bar & Barista, 40 Church Street, Gamlingay,  
SG19 3JH  
**Application:** Premises licence

**Those present at the hearing:**

Sub-Committee: Councillor Deborah Roberts (Chairman)  
Councillor Bill Handley  
Councillor Heather Williams

SCDC Officers: Jane Jackson, Resources Officer  
Paul Weller, Legal Adviser  
Victoria Wallace, Democratic Services  
Officer  
Michelle Powter, present as an observer

Applicant: Luigi Lanni  
Jill Green

Representee/s: Simon Bathie  
Caroline Betts

**Nomination of Chairman**

Councillor Deborah Roberts was nominated by Councillors Bill Handley and Heather Williams, as Chairman.

**The application**

The application to grant a new Premises Licence for LJ's Sandwich Bar & Barista, 40 Church Street, Gamlingay, SG19 3JH was received by the licensing department on the 20 November 2018. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003.

The requested days and times for opening, Sale of Alcohol, Provision of Recorded Music and Provision of Indoor Sporting Events applied for are as follows:-

**MONDAY- SUNDAY**

Opening Hours:	07.00 to 00.00
Supply of Alcohol	11:00 to 23:30 (on and off the premises)
Provision of Late Night Refreshment	23.00 to 23.30

**Background**

The premises can be found on Church Street, which a mixture of residential houses and local shops.

As required by the Licensing Act policy, the application was sent to all responsible authorities for consultation as part of the licensing application process - no representations were received.

A photograph of the Blue Notice correctly displayed was received. The Notice was advertised in the Biggleswade Chronicle on the 23 November 2018.

### **Relevant representations**

No representations had been received from the responsible authorities however three representations were made by interested parties, including one representation from the Parish Council. The representations submitted relate primarily to Public Nuisance and Public Safety objectives.

### **Observations:**

The panel heard representations from the applicant and from residents of the neighbouring property. The ensuing discussion centred on the potential level of nuisance caused to the neighbouring property. The representee's main concern was the nuisance caused to their property by noise and noxious smells.

The applicant indicated a willingness to work with those making representation and indicated the areas in which he would be prepared to be flexible.

The applicant offered to withdraw his application for off-sales. The applicant agreed to reduce the hours for the sale of alcohol on the premises and the subsequent closing time. A consequence of this was that the application for late night refreshment was no longer necessary.

The panel were aware that several of the representations were related to the planning history and planning conditions attached to the premises. Unfortunately these are not matters to which the panel could apply any real or significant weight, as they are issues for the planning authority.

The panel took into account the representations from those who were unable to attend and applied the appropriate weight to each point.

The primary issue before the panel was the sale of alcohol as a licensable activity and addressed their consideration to that issue alone.

### **The decision**

Taking all the above into account, the Sub-Committee AGREED the application subject to the following conditions:

- Days and times for opening and Sale of Alcohol are as follows:

Sale of Alcohol:           12:00 to 15:00 Monday – Wednesday  
                                  12:00 to 21:00 Thursday – Saturday

Opening Hours:           07:00 to 21:30 Monday-Saturday

- All the proposed conditions offered with the application are to be part of the licence.
- Off-sales will not be permitted across the whole premises.
- To avoid noxious smells causing nuisance to nearby properties, the premises are to be properly vented.

All parties may apply for a review of the Licence on a ground relating to one or more of the licensing objectives should there be any relevant issues arising from the operation of the Licence at any stage after the date of this decision notice. The Sub-Committee hopes that local residents will feel able to bring any future concerns directly to the attention of the Applicant in an effort to reach

an amicable solution. The four licensing objectives are: the Prevention of Crime and Disorder; Prevention of Public Nuisance; Public Safety; and Protection of Children from Harm.

All parties to the application have a right of appeal to the Cambridge Magistrates' Court within 21 days of receiving notification of this decision.

Signed:

.....  
Councillor Deborah Roberts (Chairman)

.....  
Councillor Bill Handley

.....  
Councillor Heather Williams

Dated: 1 February 2019