



Report to:	Licensing Sub-Committee (Licensing Act 2003)
Lead Cabinet Member:	Henry Batchelor
Lead Officer:	Natasha Wade-Guest

Application for a Variation of a Premises Licence:

Northstowe Running Festival, Northstowe Western Park, Kingfisher Close, Northstowe, CB24 1BZ

Executive Summary

1. The Committee is asked to determine an application for the Variation of a Premises Licence under section 34 and 35 of the Licensing Act 2003, which has been subject to representation from nine residents.

Recommendations

2. It is recommended that the Committee determine the application for the variation of a premises licence at a hearing pursuant to section 35(3) Licensing Act 2003.
3. The Council, the applicant and all persons who made valid representations may agree to dispense with the hearing provided notice is given in accordance with The Licensing Act 2003 (Hearings) Regulations 2005 regulation 9.

Details

4. On 22 June 2023, an application for a variation of premises licence number SCDLPL261633 for Northstowe Running Festival, Northstowe Western Park, Kingfisher Close, Northstowe, CB24 1BZ was submitted to the Licensing Authority, and advertised and consulted upon.
5. The licensable activities proposed under the authorisation of a Premises Licence are as follows:
 - Hours Open to the Public
Saturday and Sunday: 08:00 – 22:00
 - Supply of Alcohol
The sale by retail of alcohol for consumption on and off the premises
Saturday and Sunday: 10:00 – 22:00

- Provision of Live Music (indoors and outdoors)
Saturday and Sunday: 10:00 – 22:00
- Provision of Recorded Music (indoors and outdoors)
Saturday and Sunday: 08:00 – 22:00
- Provision of Performances of Dance (indoors and outdoors)
Saturday and Sunday: 10:00 – 22:00
- Provision of Films (indoors and outdoors)
Saturday and Sunday: 10:00 – 22:00

- The application form is attached as **Appendix A**.
- A statutory 28-day consultation period started on 22 June 2023 and ended on 20 July 2023. This enabled Responsible Authorities and ‘Other Persons’ to make representations towards the application. ‘Other Persons’ includes any individual, body or business whether or not they live in the vicinity.
- The application was advertised in the Cambridge Independent on 5 July 2023, and the site notice displayed on the premises as required. A copy of the advertisement is attached as **Appendix B** and a copy of the notice is attached as **Appendix C**.
- A copy of the current premises licence and plan are attached as **Appendix D**. There have been no changes to the current licensing plan within this application. The premises licence was first granted on 20 July 2022.
- Trading Standards have no objection to the application. A copy of the response is attached at **Appendix E**.
- Environmental Health have no objection to the application and have agreed with the applicant a condition of ‘the Licence Holder is only permitted to hold up to a maximum of 1 x 2-day event at the premises between 20 August and 30 September, and none at any other time, within each calendar year’ to be imposed on any licence granted. Currently the premises licence allows for ‘one weekend in September’. A copy of the agreed condition is attached as **Appendix F**. Environmental Health have confirmed that they have never received any noise nuisance complaints about this event.
- There were no responses from other Responsible Authorities.
- Representations have been received from nine residents attached as **Appendices G1-G9**. All objectors have been responded to confirming the variation only allows for one 2-day event within a calendar year, providing them with a copy of the redacted application and plan, asking if they wish for their representation to remain, a template of the letter is attached as **Appendix H**. Only one response has been received and that was to confirm their representation remains which is included within **Appendix G1**.

14. A location plan indicating the location of the residents who have submitted representations is attached as **Appendix I**.
15. There are no policy presumptions within the Council's Statement of Licensing policy, against the grant of the licence unless it can be shown that the application would undermine or prejudice the licensing objectives.

Options

16. The Sub-Committee in determining the application will consider the steps set out in section 18(4) Licensing Act 2003.
17. The Sub-Committee will decide whether to grant the licence (imposing all mandatory conditions) in the terms set out in the application or take any of the following steps before granting the licence:
 - a. To refuse to grant the application
 - b. To grant the application with (or without) conditions in full (or in part)
18. The Sub-Committee must give the reasons for the decision.

Implications

19. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered: -

Legal

20. The Council, the applicant and all persons who made valid representations may agree to dispense with the hearing provided notice is given in accordance with The Licensing Act 2003 (Hearings) Regulations 2005 regulations.
21. When determining applications, the Sub-Committee recognises the Council as the licensing authority is required to carry out its functions with a view to promoting the licensing objectives;
 - the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
22. In considering the licensing objections the Council must have regard to its statement of Licensing Policy, and to the statutory guidance (Revised Guidance April 2018) issued under section 182 Licensing Act 2003. The application process

is considered at section 8 of that Guidance. The procedure and information on hearings starts at 9.31 of that Guidance.

23. Any party aggrieved by the decision of the Sub-Committee has the right of appeal to the Magistrates' Court.

Risks/Opportunities

24. The decision creates no additional risks or opportunities in the context of the Council's risk management.

Background Papers

South Cambridge Council Statement of Licensing Policy (Licensing Act 2003)
<https://www.scambs.gov.uk/licensing/alcohol-and-premises/premises-and-club-licences/>

Guidance Issued under Section 182 of the Licensing Act 2003 (**Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK (www.gov.uk)**)

Licensing Act 2003 **Licensing Act 2003 (legislation.gov.uk)**

The Licensing Act 2003 (Hearings) Regulations 2005 **The Licensing Act 2003 (Hearings) Regulations 2005 (legislation.gov.uk)**

Appendices

Appendix A:	Application form
Appendix B:	Advert
Appendix C:	Site notice photographs
Appendix D:	Current premises licence and plan
Appendix E:	Trading Standards response
Appendix F:	Environmental Health response
Appendix G1-G9:	Nine resident representations
Appendix H:	Location plan of residents who have submitted representations

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