

LICENSING (2003 ACT) SUB-COMMITTEE

FRIDAY, 26 JUNE 2009

DECISIONS

Set out below is a summary of the decisions taken at the meeting of the Licensing (2003 Act) Sub-Committee held on Friday, 26 June 2009. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

If you have any queries about any matters referred to in this decision sheet please contact Maggie Jennings.

4. APPLICATION FOR PREMISES LICENCE, SPRING LANE FIELD, GRANTCHESTER



South
Cambridgeshire
District Council

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

Date of Hearing:

26 June 2009

Members
Panel:

of

Councillor Mrs CAED Murfitt – Chairman
Councillor Mrs VM Barrett
Councillor A Riley

Applicant(s)
Name:

Trumpington Farm Company

Premises
Address:

Millway
Grantchester TL435555
Cambridge
CB3 9ND

Date
Application:

of 17 April 2009

Application:

Premises licence

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
A - Plays Outdoors only		Modified as shown below: Monday through to Sunday 10:00 – 23:00	To prevent public nuisance
Monday	10:00 – 24:00		
Tuesday	10:00 – 24:00		
Wednesday	10:00 – 24:00		
Thursday	10:00 – 24:00		
Friday	10:00 – 01:00		
Saturday	10:00 – 01:00		
Sunday	10:00 – 24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
B - Films Outdoors only		Modified as shown below: Monday through to Sunday 10:00 – 23:00	To prevent public nuisance
Monday	10:00 – 24:00		
Tuesday	10:00 – 24:00		
Wednesday	10:00 – 24:00		
Thursday	10:00 – 24:00		
Friday	10:00 – 01:00		
Saturday	10:00 – 01:00		
Sunday	10:00 – 24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
E - Live Music Outdoors only		Modified as shown below: Monday through to Sunday 10:00 – 23:00 No amplified music at any time	To prevent public nuisance
Monday	10:00 – 24:00		
Tuesday	10:00 – 24:00		
Wednesday	10:00 – 24:00		
Thursday	10:00 – 24:00		
Friday	10:00 – 01:00		
Saturday	10:00 – 01:00		
Sunday	10:00 – 24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
F - Recorded Music Outdoors only		REFUSED	To prevent public nuisance
Monday	10:00 – 24:00		
Tuesday	10:00 – 24:00		
Wednesday	10:00 – 24:00		
Thursday	10:00 – 24:00		
Friday	10:00 – 01:00		
Saturday	10:00 – 01:00		
Sunday	10:00 – 24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
G - Performances of Dance Outdoors only		Modified as shown below: Monday through to Sunday 10:00 – 23:00 No amplified music at any time	To prevent public nuisance
Monday	10:00 – 24:00		
Tuesday	10:00 – 24:00		
Wednesday	10:00 – 24:00		
Thursday	10:00 – 24:00		
Friday	10:00 – 01:00		
Saturday	10:00 – 01:00		
Sunday	10:00 – 24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
H - Anything of a similar description to Live or Recorded Music or Performances of Dance Outdoors only		Modified as shown below: Monday through to Sunday 10:00 – 23:00 No amplified music at any time	To prevent public nuisance
Monday	10:00 – 24:00		
Tuesday	10:00 – 24:00		
Wednesday	10:00 – 24:00		
Thursday	10:00 – 24:00		
Friday	10:00 – 01:00		
Saturday	10:00 – 01:00		
Sunday	10:00 – 24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
I - Provision of Facilities for Making Music Outdoors only		REFUSED	To prevent public nuisance
Monday	10:00 – 24:00		
Tuesday	10:00 – 24:00		
Wednesday	10:00 – 24:00		
Thursday	10:00 – 24:00		
Friday	10:00 – 01:00		
Saturday	10:00 – 01:00		
Sunday	10:00 – 24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
J - Provision of Facilities for Dancing Outdoors only		Modified as shown below: Monday through to Sunday 10:00 – 23:00 No amplified music at any time	To prevent public nuisance
Monday	10:00 – 24:00		
Tuesday	10:00 – 24:00		
Wednesday	10:00 – 24:00		
Thursday	10:00 – 24:00		
Friday	10:00 – 01:00		
Saturday	10:00 – 01:00		
Sunday	10:00 – 24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
K - Provision of Facilities for entertainment of a similar description to that falling within I or J above Outdoors only		Modified as shown below: Monday through to Sunday 10:00 – 23:00	To prevent public nuisance
Monday	10:00 – 24:00	No amplified music at any time	
Tuesday	10:00 – 24:00		
Wednesday	10:00 – 24:00		
Thursday	10:00 – 24:00		
Friday	10:00 – 01:00		
Saturday	10:00 – 01:00		
Sunday	10:00 – 24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
L - Late Night Refreshment Outdoors only		REFUSED	To prevent public nuisance
Monday	23:00-24:00		
Tuesday	23:00-24:00		
Wednesday	23:00-24:00		
Thursday	23:00-24:00		
Friday	23:00-01:00		
Saturday	23:00-01:00		
Sunday	23:00-24:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
M - Supply of Alcohol On the Premises only		Modified as shown below:	To prevent public nuisance
Monday	10:00 – 23:30	Monday through to Thursday and Sunday, 10:00 – 23:00	
Tuesday	10:00 – 23:30		
Wednesday	10:00 – 23:30		
Thursday	10:00 – 23:30		
Friday	10:00 – 00:30		
Saturday	10:00 – 00:30		
Sunday	10:00 – 23:30	Friday and Saturday 10:00 – 23:30	

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
O - Hours premises are open to the public		Modified as shown below:	To prevent public nuisance
Monday	00:00 – 24:00	The hours premises are open to the public for licensable activities are:	
Tuesday	00:00 – 24:00		
Wednesday	00:00 – 24:00		
Thursday	00:00 – 24:00		
Friday	00:00 – 24:00		
Saturday	00:00 – 24:00		
Sunday	00:00 – 24:00	Monday through to Sunday 09:00 – 24:00	

The Panel has considered the application very carefully and had due regard to the Licensing Act 2003, the accompanying Guidance and Regulations and the SCDC Licensing Policy.

The Panel heard the evidence of the applicant, representatives of Grantchester Parish Council and ten further representees.

The Panel have had regard to the characteristics of the premises and the impact of licensable activities on the local community. In light of the representations received, the Panel have modified the application in respect of times, activities and the conditions agreed by the Police and the Applicant.

The Panel had regard to the discussions that have taken place, and the agreements reached, between the applicant and the police and between the applicant and the Parish Council. The Panel wishes to see all the police conditions as part of the licence, except for Condition 1 of the Prevention of Public Nuisance. That condition has been replaced with the following condition bearing in mind the 28 days limitation on the non-agricultural use of the premises:

“There shall be a maximum of ten regulated entertainment events in any 12-month period”.

The Panel had regard to the particular concerns from local residents about the nuisance that would potentially be caused by regulated entertainment and have therefore refused the application for any amplified live and recorded music to prevent any public nuisance due to the open nature of the premises and the lack of opportunity to control the noise emissions that arise with a fixed or permanent structure. In addition, we have refused permission for any type of karaoke to prevent public nuisance. The times have been modified to bring all licensable activities to an end by 11:30pm at the latest to ensure that members of the public have left the site by midnight when such activities take place. This achieves the licensing objective of preventing public nuisance in line with the agreement reached between the applicant and the Parish Council.

With regard to Section P of the application setting out the steps the applicant will take to promote the four licensing objectives, the Panel feels most of those steps are covered by the Police conditions apart from the reference to the availability of the Designated Premises Supervisor (DPS). Therefore the following condition is required:

- The DPS or his deputy shall be available and contactable by phone at all times during licensable events and be able to attend at the premises within 10 minutes if required

Problems with parking and traffic congestion are matters for the Highways Authority and cannot be addressed through the Licensing Act 2003.

Interested parties and responsible authorities 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 premises licence at any stage in the future. The four licensing objectives are: the Prevention of Crime and Disorder; Prevention of Public Nuisance; Public Safety and Protection of Children from Harm.

The applicant and objectors have a right of appeal to the Cambridge Magistrates' Court within 21 days of receiving notification of this decision.

Signed:
Councillor Mrs CAED Murfitt (Chairman)

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Councillor Mrs VM Barrett

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Councillor A Riley

Dated: 26 June 2009