

LICENSING (2003 ACT) SUB-COMMITTEE

TUESDAY, 14 JUNE 2011

DECISIONS

Set out below is a summary of the decisions taken at the meeting of the Licensing (2003 Act) Sub-Committee held on Tuesday, 14 June 2011. 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.

5. APPLICATION TO VARY EXISTING LICENCE CONDITIONS, THE ROYAL OAK, BARRINGTON



**South
Cambridgeshire
District Council**

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

Date of Hearing:

14 June 2011

Members of Panel:

Councillor – Mrs Patricia Bear, Chairman
Councillor Richard Barrett
Councillor Mrs Val Barrett

Applicant(s) Name:

Helen Fernandes

Premises Address:

The Royal Oak
31 West Green
Barrington
Cambridge
CB22 5RZ

Date of Application:

7 April 2011

Application:

To vary existing licence conditions

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
E - Live Music Indoors only		Approve: Monday to Sunday Modify: Christmas Eve: 11:00 - 00:30 New Years Eve: 11:00 - 01:00	To prevent public nuisance
Monday	11:30 – 23:00		
Tuesday	11:30 – 23:00		
Wednesday	11:30 – 23:00		
Thursday	11:30 – 23:00		
Friday	11:30 – 23:00		
Saturday	11:30 – 23:00		
Sunday	12:00 – 22:00		
Christmas Eve	11:00 – 01:00		
New Years Eve	11:00 – 02:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
F - Recorded Music Indoors only		Approve: Monday to Sunday Modify: Christmas Eve: 11:00 - 00:30 New Years Eve: 11:00 - 01:00	To prevent public nuisance
Monday	11:30 – 23:00		
Tuesday	11:30 – 23:00		
Wednesday	11:30 – 23:00		
Thursday	11:30 – 23:00		
Friday	11:30 – 23:00		
Saturday	11:30 – 23:00		
Sunday	12:00 – 22:00		
Christmas Eve	11:00 – 01:00		
New Years Eve	11:00 – 02:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
G - Performances of Dance Indoors only		Approve: Monday to Sunday Modify: Christmas Eve: 11:00 - 00:30 New Years Eve: 11:00 - 01:00	To prevent public nuisance
Monday	11:30 – 23:00		
Tuesday	11:30 – 23:00		
Wednesday	11:30 – 23:00		
Thursday	11:30 – 23:00		
Friday	11:30 – 23:00		
Saturday	11:30 – 23:00		
Sunday	12:00 – 22:00		
Christmas Eve	11:00 – 01:00		
New Years Eve	11:00 – 02:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
J - Provision of Facilities for Dancing Indoors only		Approve: Monday to Sunday Modify: Christmas Eve: 11:00 - 00:30 New Years Eve: 11:00 - 01:00	To prevent public nuisance
Monday	11:00 – 23:00		
Tuesday	11:00 – 23:00		
Wednesday	11:00 – 23:00		
Thursday	11:00 – 23:00		
Friday	11:00 – 23:00		
Saturday	11:00 – 23:00		
Sunday	12:00 – 22:00		
Christmas Eve	11:00 – 01:00		
New Years Eve	11:00 – 02:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
K - Provision of Facilities for entertainment of a similar description to that falling within J above Indoors only		Approve: Monday to Sunday Modify: Christmas Eve: 11:00 - 00:30 New Years Eve: 11:00 - 01:00	To prevent public nuisance
Monday	11:00 – 23:00		
Tuesday	11:00 – 23:00		
Wednesday	11:00 – 23:00		
Thursday	11:00 – 23:00		
Friday	11:00 – 23:00		
Saturday	11:00 – 23:00		
Sunday	12:00 – 22:00		
Christmas Eve	11:00 – 01:00		
New Years Eve	11:00 – 02:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
L – Provision of Late Night Refreshment Indoors Only		Modify: Christmas Eve: 23:00 – 00:30 New Years Eve: 23:00 – 01:00	To prevent public nuisance
Christmas Eve	23:00 – 01:00		
New Years Eve	23:00 – 02:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
M - Supply of Alcohol On and Off the Premises		Modify: Monday to Thursday 11:30 – 23:30 Approve: Friday, Saturday, Sunday Modify: Christmas Eve – 11:00 – 00:30 New Years Eve – 11:00 – 01:00	To prevent public nuisance
Monday	11:30 – 24:00		
Tuesday	11:30 – 24:00		
Wednesday	11:30 – 24:00		
Thursday	11:30 – 24:00		
Friday	11:30 – 24:00		
Saturday	11:30 – 24:00		To prevent public nuisance
Sunday	12:00 – 22:30		
Christmas Eve	11:00 – 01:00		
New Years Eve	11:00 – 02:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
O - Hours premises are open to the public		Modify: Monday to Thursday 11:00 – 00:00 Approve: Friday, Saturday, Sunday, Christmas Eve Modify: New Years Eve 11:00 – 01:30	To prevent public nuisance
Monday	11:00 – 00:30		
Tuesday	11:00 – 00:30		
Wednesday	11:00 – 00:30		
Thursday	11:00 – 00:30		
Friday	11:00 – 00:30		
Saturday	11:00 – 00:30		To prevent public nuisance
Sunday	12:00 – 23:30		
Christmas Eve	11:00 – 01:00		
New Years Eve	11:00 – 02:00		

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 Mrs H Fernandes, Mr Fletcher of Barrington Parish Council and Mr M Scott of 27 West Green, Barrington, a nearby resident who was also speaking on behalf of other neighbouring residents, and submissions made by the Council's Environmental Health Officer.

The Panel has noted the concerns of local residents regarding potential noise nuisance from the premises.

The Sub-Committee **APPROVED** the application with some modifications as stated in the above operating schedule, together with the following conditions:

- (a) Notices should be posted close to any exit doors and in the car park, reminding patrons that the premises are located in close proximity to noise sensitive dwellings and that they leave quickly and quietly.
- (b) Avoid wherever possible opening doors unnecessarily and ensure that any windows in the room in which music is to be played are kept shut.
- (c) Periodic checks should be made at the boundary of the premises whilst live or recorded music is being played to ensure that no adjacent dwellings will be adversely affected.
- (d) That part of the Premises comprising the conservatory shall not be used for performances of dance or for dancing by patrons.

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 Patricia Bear (Chairman)

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Councillor Richard Barrett

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Councillor Mrs Val Barrett

Dated: 14 June 2011