

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE UNDER S.51 OF THE LICENSING ACT 2003 AT JOLLY MILLERS PUBLIC HOUSE, 73 HIGH STREET, COTTENHAM, CB24 8SD

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

Date of Hearing:	19 September 2017
Members of Panel:	Councillor Cicely Murfitt - Chairman Councillor Janet Lockwood Councillor Charlie Nightingale
Applicants' Names:	Mr and Mrs Nunn
Premises Address:	Jolly Millers Public House, 73 High Street, Cottenham,
Application:	Review of premises licence

Those present at the hearing:

Sub-Committee: Councillor Cicely Murfitt (Chairman)
Councillor Janet Lockwood
Councillor Charlie Nightingale

SCDC Officers: Myles Bebbington, Head of Service,
Environmental Health and Licensing
Richard Ricks, Legal Adviser
Patrick Adams, Democratic Services
Officer

Applicants: Mr and Mrs Nunn

Licence Holder: Admiral Taverns

Representees: Samantha Faud (Legal representative for
Admiral Taverns)
Chris Reed (Admiral Taverns)

Background

The Jolly Millers Public House holds a premises licence No SCD CPL0113

The licence has been in its current format since May 2013 following a variation application to amend opening times on a Friday and an extension of regulated entertainment on a Saturday to reflect the opening hours already permitted.

On 6th July 2017 a licence review application was received from Mr & Mrs Nunn.

Representations

Written representations were received from the Environmental Health Officer and residents, which were included in the papers for this hearing. Relevant case law was brought to the attention of the Sub-Committee and advised upon.

Observations

The Sub-Committee acknowledged that the Environmental Health Department removed its representation and the interested parties attending the Sub-Committee were in agreement with the conditions proposed by Admiral Taverns.

The Sub-Committee was advised by Admiral Taverns that there will be a change of management at the premises and a new tenant will be appointed. A new Designated Premises Supervisor will also be appointed.

The Sub-Committee also noted the active management of Admiral Taverns in addressing the issues of nuisance.

The decision

On the basis of these considerations the Sub-Committee decided to include the following conditions:

That the standard timings for Live Music and Recorded Music be reduced to 11:00 to 23:00 each day (non-standard timings to remain as per existing licence).

Conditions to remove:

1. The use of the beer garden shall be prohibited for use by patrons after 23:30.

Conditions to add:

1. Patrons shall not be permitted to possess or consume drinks in the beer garden after 23:00 each evening and notices will be prominently displayed advising patrons accordingly.
2. Staff to monitor the beer garden after 23.00 regularly until closing time to ensure that patrons are not congregating.
3. In accordance with the provisions of s.177A (3) and s.177A (4) of the Live Music Act 2012, the provisions of s.177A (1) and s.177A (2) of the Live Music Act 2012 shall not apply to this Premises Licence.
4. Whenever regulated entertainment takes place, windows and external doors will be kept closed except for the purposes of access and egress. To assist in the compliance with this condition, there will be air conditioning installed at the premises.
5. The volume of any amplified sound shall at all times be under the control of the Designated Premises Supervisor, or a responsible person nominated by them.
6. A tamper-proof noise-limiting device shall be fitted to the sound system within the premises and all amplified music played at the premises must pass through said noise-limiter. The noise limiter will be calibrated to the reasonable satisfaction of South Cambridgeshire Environmental Health Department and shall not subsequently be altered without prior consent from South Cambridgeshire Environmental Health Department.
7. Regulated entertainment shall not be permitted in the external areas.
8. Whenever regulated entertainment takes place at the premises, the Designated Premises Supervisor or a responsible person nominated by them, shall undertake regular assessments of the noise emanating from the premises. Where said assessments indicated a level of noise that is likely to cause a disturbance to local residents, such assessments shall be recorded and dated in a log to be made available to Environmental Health on request. Logs to be kept for two months. Remedial action will be taken by Admiral Taverns if any assessment of noise emanating from the premises is deemed to be excessive.
9. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open and said number will be monitored by the Designated

Premises Supervisor or a reasonable person nominated by them whenever regulated entertainment is taking place.

Local residents 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 Designated Premises Supervisor 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.

Any party has a right of appeal to the Cambridge Magistrates' Court within 21 days of receiving notification of this decision.