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1 February 2018

To: Chairman – Councillor Cicely Murfitt
Members of the Licensing (2003 Act) Sub-Committee – Councillors
Charles Nightingale and Deborah Roberts

The Applicant: Malthurst Ltd

Dear Sir/Madam

Please find below the agenda, and attached the relevant papers, for the hearing by the **LICENSING (2003 ACT) SUB-COMMITTEE** of the application for the variation to a premises licence. The hearing will be held in the **SWANSLEY ROOM A, GROUND FLOOR** at South Cambridgeshire Hall on **TUESDAY, 13 FEBRUARY 2018 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
Beverly Agass
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

AGENDA

	PAGES
1. INTRODUCTIONS / PROCEDURE	1 - 2
The Chairman will introduce the members of the Sub-Committee and the officers in attendance at the meeting.	
A copy of the Licensing (2003 Act) Committee procedure is attached.	
2. DECLARATIONS OF INTEREST	
3. APPLICATION TO VARY A PREMISES LICENCE MALTHURST LTD, HARSTON	3 - 42

OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Working Together
- Integrity
- Dynamism
- Innovation

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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Disturbance by Public

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

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Agenda Item 1

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

LICENSING ACT 2003 COMMITTEE

HEARING PROCEDURE

1. Introduction

- The Chairman of the sub-committee will welcome and introduce everyone present, giving explanations of roles where necessary, and outline the procedure to be followed.
- The hearing will take the form of a discussion to be led by the sub-committee.
- Members of the sub-committee will be able to ask questions of any party, or the Licensing Officer, at the hearing. They will try, so far as possible, to ask their questions at the conclusion of each party's submission.
- The sub-committee will consider any requests for permission to ask questions of other parties. It will decide if questions are required in order for it to consider the case properly. If permission is given to one party, it will usually be given to all other parties.
- The Chairman may ask any person behaving in a disruptive manner to leave and may refuse to permit that person(s) to return or may permit them to return with specified conditions. Such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.
- Members of the sub-committee will be asked to make any Declaration of Interests.

2. Witnesses

The sub-committee will consider any requests from any of the parties to call witnesses.

3. New evidence/information

The sub-committee will consider any requests for permission to present new evidence or information not previously disclosed to all the parties and the sub-committee prior to the hearing. The general rule is that such information or evidence must not be considered unless all parties at the hearing agree to it being considered on the day of the hearing. A request may be made for a short adjournment to allow time for everyone to receive copies of the extra information and time to read it.

4. Allocation of time

Each party will be asked for a time estimate for the presentation of their case. The sub-committee will hear all estimates and then allocate each party an equal amount of time to speak.

5. Licensing Officer's report

The Council's Licensing Officer will outline details of the application and representations received by the council. No recommendation to members will be made.

6. Applicant's case

The applicant will present their case first. They have a right to:

- address the sub-committee on any points of clarification the council has sought;
- address the committee generally; and
- call any witnesses that they have been given permission to call. Witnesses may be cross-examined if permission is granted. If this happens, the time taken for questions will count towards the allocated time of the party asking the questions, not the party answering them.

Members of the sub-committee may ask questions of the applicant.

7. Police representations

The Police will make any representations about the application, with the same rights as listed at s.6.

Members of the sub-committee may ask questions of the police representative.

8. "Responsible authorities" representations

Other "responsible authorities" (Police/Fire/Environmental Health Officer/Social Services/Trading Standards/Planning Directorate) will then make representations, with the same rights as listed at s.6.

Members of the sub-committee may ask questions of those authorities represented.

9. Any other representations

Anybody else making representations will go last, with the same rights listed at s.6.

Members of the sub-committee may ask questions of any person who has made a representation.

10. Legal advice

Once all parties have presented their cases to the sub-committee, and the members of the sub-committee have no more questions for any of the parties, the Council's Legal Officer will be asked to outline any relevant legal guidance.

11. Decision-making

The sub-committee will then retire to another room to make its decision. The Council's Legal Officer and Clerk will accompany members to advise where necessary and take notes of the decision.

12. Notification of decision

Depending on the nature of the application, a determination of the case will either be made at the conclusion of the hearing, or within 5 working days. In most cases, all parties will be notified of the decision in writing.

Agenda Item 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Licensing Sub-Committee (2003 Act)

13 February 2018

AUTHOR/S: Director Health & Environmental Services

APPLICATION TO VARY A PREMISES LICENCE MALTHURST LTD, HARSTON

The Application

1. The application (**APPENDIX A**) to vary a licence for the MRH Harston, 123 High Street, Harston, Cambridge CB22 7QB, was received by the licensing section on the 20th December 2017. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003.

The application is for the Variation of a Premises Licence.

The requested days and times applied for are to extend current hours to become 24 hours 7 days a week for Opening Hours, Sale of Alcohol and Late Night Refreshment.

Background

2. The premises are in a central location positioned on the High Street of the village adjacent to dwellings with shared boundaries. The nearest residential properties are 119 High Street and residential property to the rear and left hand side of the premises.
(Map & Plan attached as **APPENDIX B**).

The application was met with concerns from the Parish Council and residential properties located nearby, and representations were received from both.

Within the representations attached, particular mention is made with respect to planning.

Members are advised that the 2 regimes are set apart and any planning matters and should not force the committee to automatically reflect any planning decision in the licensing remit. Each application must be determined on its individual merits in line with the four licensing objectives; The Prevention of Crime & Disorder, the Prevention of Public Nuisance, Public Safety and Protection of Children From Harm.

For clarity officers can confirm the following:-

The Refusal was for the following reasons:

“Variation of condition 8 of planning permission ref S/0767/90/F to allow for increased hours of use of the site during weekday and Saturday mornings is considered to substantially harm the residential amenity of the occupants of 125a and 125b High Street, through adverse noise and disturbance from

general use of the forecourt and through light pollution arising from night time illumination of the site. To this end the proposals are considered contrary to the policies NE/14 and NE/15 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD 2007, which seek to ensure that there is no unacceptable adverse impact on neighbouring or nearby properties from lighting and that there is no unacceptable adverse impact upon indoor and outdoor acoustic environment of neighbouring properties.”

Relevant Representations

3. Representations had been received from:
 - Local Residents
 - Harston Parish Council.

The representations submitted by the Residents and Parish Council relate to Public nuisance and Public Safety objectives, guidance from the SCDC Licensing Policy and Secretary of State Guidance is offered on these matters in Paragraph 5.

Officer's Views

4. Members when considering the application should be aware that they may only take into consideration the parts of the application that represent a variation

Members should also be aware of the Secretary of states guidance under S182 of the Licensing Act 2003 which states:-

Public nuisance retains its broad common law meaning for the purpose of this Act. The prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbances affecting the whole community. It may also include in appropriate circumstances the reduction of there living and working amenity and environment of interested parties in the vicinity of the premises. Beyond the vicinity of the premises these are matters for personal responsibility of individuals under the law.

The Guidance goes on to state:-

It is essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to public nuisance caused by anti-social behaviour of customers once they are beyond the control of the licence holder cannot be justified and will not serve to promote the licensing objectives

Policy Considerations

5. Conditions referred to within the South Cambridgeshire Licensing Policy relating to the prevention of public nuisance and Public Safety:
 - a) **Consideration may be given to conditions that ensure that:**
 - 1) *Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties*

- 2) *Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.*
- 3) *The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in the surrounding areas are restricted.*
- 4) *The placing of refuse - such as bottles- into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.*
- 5) *Noxious smells from the licensed premises are not permitted (subject to existing legislation not providing adequate measures) so as to cause a nuisance to nearby properties and the premises are properly vented.*
- 6) *Flashing or particularly bright lights on or outside licensed premises (any such condition must be balanced against the benefits of providing lighting to promote the prevention of crime and disorder).*

b) Hours

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted by the conditions of a premises licence or club premises certificate for the prevention of public nuisance:

- 1) *Conditions may be placed on premises restricting (other than where they are protected by the transitional provisions of the Act) the hours during which premises are permitted to be open to the public or to members and their guests.*
- 2) *Restrictions may be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times.*
- 3) *Restrictions may be necessary on parts of a premise used for certain licensable activities at certain times..*

Conditions Relating to Public Safety (including fire safety)

Conditions relating to public safety will be those that are necessary to promote the objective of public safety for individual premises or clubs. They should not duplicate other legal requirements. Equally the attachment of conditions to a premises licence or club premises certificate will not relieve employers of the statutory duty to comply with the requirements of Health and Safety legislation and the requirements under the management of Health and Safety at Work regulations 1999 and the Fire Precautions (Workplace) regulations 1997 to undertake risk assessments.

Legal Implications

6. All parties will maintain a right of appeal to a Magistrate's Court after the determination of this committee.

Contact Officer: Juli Stallabrass – Licensing & Communities Officer
Telephone: (01954) 713024

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M3 330340

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04297



South Cambridgeshire
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@scambs.gov.uk
Telephone: 03450 450 063

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

56,000

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VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes

No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

A petrol forecourt store selling a broad range of groceries, household products and alcohol. Situated at MRH Harston, 123 High Street, Harston, Cambridge, CB22 7QB to be varied as follows:

1. To extend the hours for the sale of alcohol to 24 hours daily.
2. The provision of late night refreshment daily between the hours of 2300 and 0500 the following day.
3. To remove all the additional conditions under the title 'Additional conditions imposed from the hearing' in the Annex.
4. To include in the Annex of the premises licence the conditions in Section 16 of this application.
5. To make alterations to the premises.

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes

No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes

No

Continued from previous page...

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Continued from previous page...

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

The provision will take place inside the premises but customers may leave the premises with items purchased. The hours will be between 2300 hours and 0500 hours the following day.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

The premises sell alcohol and other age restricted products.

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

1. The hours for the sale of alcohol are currently restricted to between 0600 hours and 2215 hours daily.
2. The conditions in the Annex of the premises under the title 'Additional conditions imposed from the hearing'.

The above restrictions/conditions would be removed as a consequence of the proposed variation.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

b) The prevention of crime and disorder

1. A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 14 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

c) Public safety

The premises licence holder will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.

Continued from previous page...

d) The prevention of public nuisance

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

e) The protection of children from harm

The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/south-cambridgeshire/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

This licence is issued by :- South Cambridgeshire, CB23 6EA. Contact t: 03
www.scambs.gov.uk

South Cambridgeshire District Council
Business Park, Cambourne,
scambs.gov.uk dx: 729500 Cambridge 15

Licensing Act 2003

SCDCPL0353

Premises Licence

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Malthurst (Harston)

123 High Street, Harston, Cambridge, CB22 7QB.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Commences **31/12/14**

Expiry date **24/11/15**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	6:00am	10:15pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted	Midnight	Midnight

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

Part 2

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Malthurst Ltd

123 High Street, Harston, Cambridge, CB22 7QB.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Gabilakanth RAJENDRAN

142 New North Road, Ilford, Essex, IG6 2XW.

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Licence No. 046059

Issued by Redbridge



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www.scambs.gov.uk



South
Cambridgeshire
District Council

Business Park, Cambourne,
Cambs.gov.uk dx: 729500 Cambridge 15

Licensing Act 2003

SCDCPL0353

Premises Licence

ANNEXES

MANDATORY CONDITIONS

NO SUPPLY OF ALCOHOL MAY BE MADE AT A TIME WHEN THERE IS NO DESIGNATED PREMISES SUPERVISOR IN RESPECT OF THE PREMISES LICENCE OR:

AT A TIME WHEN THE DESIGNATED PREMISES SUPERVISOR DOES NOT HOLD A PERSONAL LICENCE OR HIS/HER PERSONAL LICENCE IS SUSPENDED.

EVERY SUPPLY OF ALCOHOL UNDER THE PREMISES LICENCE MUST BE MADE OR AUTHORISED BY A PERSON WHO HOLDS A PERSONAL LICENCE.

ALCOHOL SHALL NOT BE SOLD IN AN OPEN CONTAINER OR BE CONSUMED IN THE LICENSED PREMISES

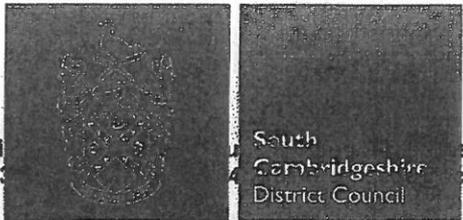
ADDITIONAL CONDITIONS IMPOSED FROM HEARING

- A CCTV SYSTEM WILL BE INSTALLED, OR THE EXISTING SYSTEM MAINTAINED, SUCH SYSTEM TO BE FIT FOR THE PURPOSE
- THE CCTV SYSTEM SHALL BE CAPABLE OF PRODUCING IMMEDIATE COPIES OF RECORDINGS ON SITE. COPIES OF THE RECORDING WILL EITHER BE RECORDED ON GOOD QUALITY VIDEO TAPE OR DIGITALLY ON TO CD/DVD OR OTHER EQUIVALENT MEDIUM
- ANY RECORDING WILL BE RETAINED AND STORED IN A SUITABLE AND SECURE MANNER FOR A MINIMUM OF 14 DAYS AND SHALL BE MADE AVAILABLE, SUBJECT TO COMPLIANCE WITH DATA PROTECTION LEGISLATION, TO THE POLICE FOR INSPECTION ON REQUEST
- THE PRECISE POSITIONS OF THE CAMERAS MAY BE AGREED, SUBJECT TO COMPLIANCE WITH DATA PROTECTION LEGISLATION, WITH THE POLICE FROM TIME TO TIME
- THE SYSTEM WILL DISPLAY, ON ANY RECORDING, THE CORRECT TIME AND DATE OF THE RECORDING
- THE CCTV SYSTEM WILL BE MAINTAINED AND FULLY OPERATIONAL THROUGHOUT THE HOURS THAT THE PREMISES ARE OPEN FOR ANY LICENSABLE ACTIVITY
- THE APPLICANT WILL AT ALL TIMES MAINTAIN ADEQUATE LEVELS OF STAFF. SUCH STAFF LEVELS WILL BE DISCLOSED, ON REQUEST, TO THE LICENSING AUTHORITY AND POLICE

A 'CHALLENGE 21' (OR EQUIVALENT) SCHEME SHALL BE ADOPTED SO THAT ALL CASHIERS ARE TRAINED TO ASK ANY CUSTOMER ATTEMPTING TO PURCHASE ALCOHOL, WHO APPEARS TO BE UNDER THE AGE OF 21 YEARS, FOR EVIDENCE OF AGE. THIS EVIDENCE SHALL BE PHOTOGRAPHIC, SUCH AS A PASSPORT OR PHOTOGRAPHIC DRIVING LICENCE UNTIL OTHER EFFECTIVE IDENTIFICATION TECHNOLOGY IS ADOPTED BY THE LICENCE HOLDER (FOR EXAMPLE, THUMB PRINT OR PUPIL RECOGNITION). ALL CASHIERS WILL BE INSTRUCTED, THROUGH TRAINING, THAT A SALE SHALL NOT BE MADE UNLESS THIS EVIDENCE IS PRODUCED. PROMINENT NOTICES WILL BE DISPLAYED IN THE STORE ADVISING CUSTOMERS



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www.scams.gov.uk



South Cambridgeshire District Council
Business Park, Cambourne,
scams.gov.uk dx: 729500 Cambridge 15

Licensing Act 2003

SCDCPL0353

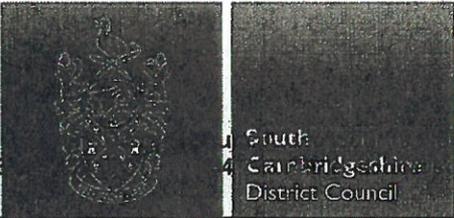
Premises Licence

ANNEXES continued ...

THAT THEY MAY BE ASKED TO PROVIDE EVIDENCE OF AGE



This licence is issued by :- South Cambridgeshire, Cambridgeshire, CB23 6EA. Contact t: 01223 444444 www.scambs.gov.uk



South Cambridgeshire District Council, Business Park, Cambourne, Cambridgeshire, CB23 6EA. Email: info@scambs.gov.uk dx: 729500 Cambridge 15

Licensing Act 2003

SCDCPL0353

Premises Licence Summary

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Malthurst (Harston)

123 High Street, Harston, Cambridge, CB22 7QB.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Commences **31/12/14**

Fee due date **24/11/15**

LICENSABLE ACTIVITIES AUTHORIZED BY THE LICENCE

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THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

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M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	6:00am	10:15pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted	Midnight	Midnight

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

NAME (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Malthurst Ltd

123 High Street, Harston, Cambridge, CB22 7QB.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

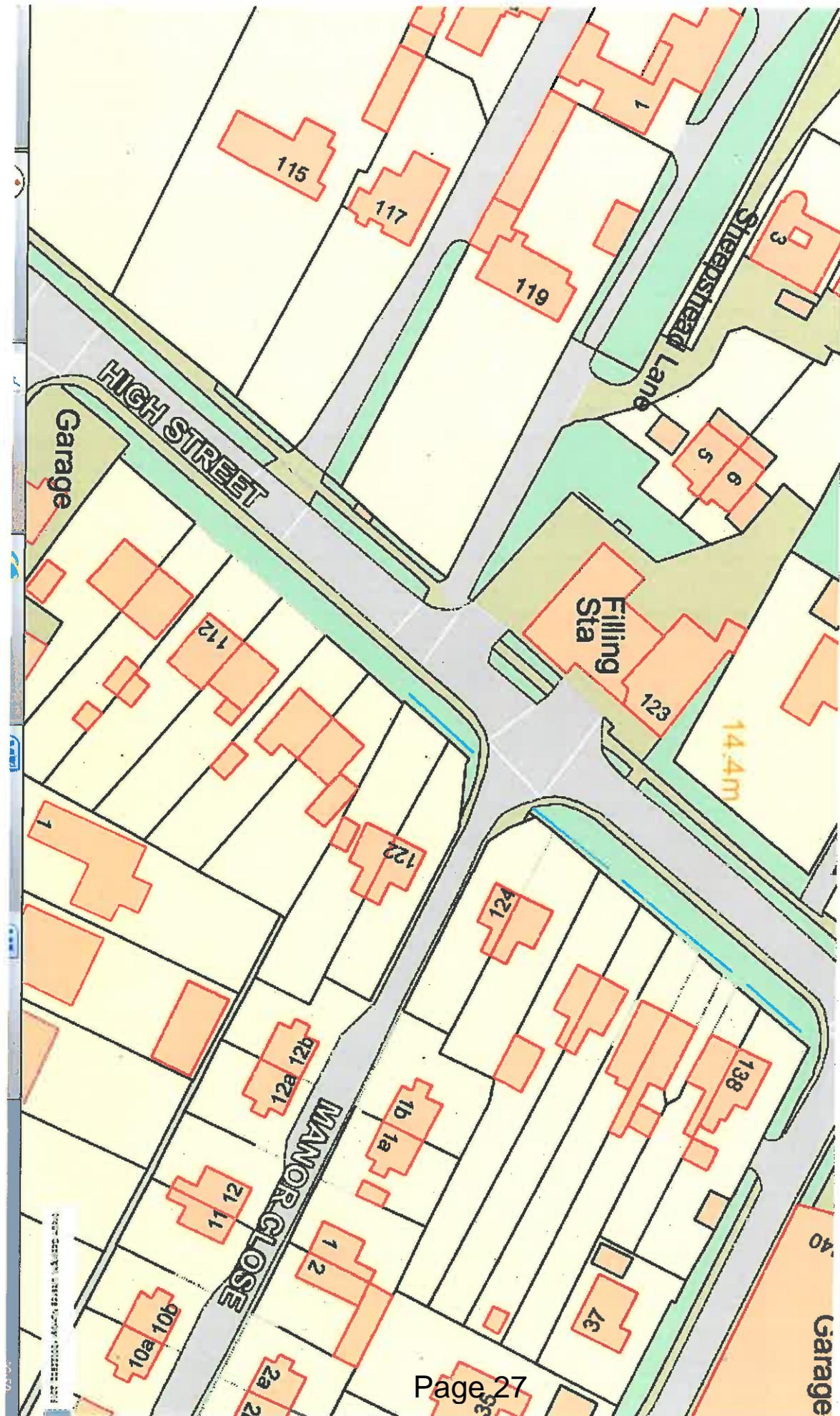
NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Gabilakanth RAJENDRAN

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable





1

THE LICENSING ACT 2003
REPRESENTATION FORM FOR "INTERESTED PERSON" / "BODY"
(living in the 'vicinity' of the premises detailed below)

Your name / Company name	
(Name of Body you represent) Please tick one: <input checked="" type="checkbox"/> ✓	
i) a person affected by the application <input checked="" type="checkbox"/> ii) a body representing persons <input type="checkbox"/>	
iii) a person involved in a business <input type="checkbox"/> iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	Harston, CAMBRIDGE,
Contact telephone number:	
Mobile Number:	
Email address:	

Name of Premises you are making a representation about:	Malthurst (Harston) BP filling station
Address of the premises you are making a representation about:	123 High Street, Harston, Cambridge, CB22 7QB

The prevention of crime and disorder

The prevention of public nuisance

The filling station is in a residential area and does create both noise and light pollution. During its current operating hours of 07:00 to 22:00, this is not an unreasonable nuisance for its residential neighbours but outside these hours, it would be severely disturbing as this is when most residents would normally be sleeping. Additionally the sale of alcohol during that period would doubtless attract more traffic and visitors to the site, exacerbating the problem. During the night hours, Harston High Street is very quiet and there is very little traffic of any sort. There is a current planning restriction preventing opening outside the hours of 07:00 to 22:00 Monday to Saturday and 08:00 to 22:00 on Sunday. A planning application to amend these hours in 2010 was refused for the reasons given above.

Public Safety

Chief Environmental
Health Office
12 JAN 2018
South Cambridgeshire
District Council

Protection of Children from Harm

If the licensing authority considers that relevant representations are made the licensing team will consider arranging a mediation meeting between the relevant parties (if all agree) to try and reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub Committee will follow, unless the interested parties withdraw their representations.

All representations in their entirety, including your name and address will be disclosed to the applicant for the premises licence.

Signed Date

.....
Please print name

Please return this form along with any additional sheets to the relevant authority.

This form should be returned along with any additional information you may feel relevant within the Statutory Period, which is 28 days from the day after the day on which the application was given to the licensing authority by the Applicant.

In the case of a request for review, a copy of your letter must be served on the Premises Licence Holder as well as to the Licensing Authority

However, because of the tight timescales involved, and to assist in the determination of the application process, any representations should be forwarded to the licensing authority AS SOON AS POSSIBLE and BY NO LATER THAN THE DATE GIVEN BY THE LICENSING AUTHORITY.

If in any doubt, please contact the Licensing section.

2

APPENDIX B

THE LICENSING ACT 2003
REPRESENTATION FORM FOR "INTERESTED PERSON" / "BODY"
(living in the 'vicinity' of the premises detailed below)
PLEASE CONTINUE ON A SEPERATE PIECE OF PAPER IF REQUIRED

Your name / Company name	
(Name of Body you represent) Please tick one: ✓ i) a person living in the vicinity of the premises <input checked="" type="checkbox"/> ii) a body representing persons who live in that vicinity <input type="checkbox"/> iii) a person involved in a business in the vicinity of the premises <input type="checkbox"/> iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	HARSTON CAMBRIDGE
Contact telephone number:	
Mobile Number:	
Email address:	

Name of Premises you are making a representation about:	MALTHURST HARSTON (MRH HARSTON) BP PETROL STATION
Address of the premises you are making a representation about:	123 HIGH STREET, HARSTON CAMBRIDGE CB22 7QB

PLEASE USE ADDITIONAL PAPER IF REQUIRED

The prevention of crime and disorder N/A	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>Chief Environmental Health Office 10 JAN 2018 South Cambridgeshire District Council</p> </div>
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The prevention of public nuisance Additional / 24 hour access would have the following negative impact on our (and neighbouring properties and families) :

1) Increased noise from customers/customer vehicles. Currently there are problems with customers leaving engines running, making phone calls, playing loud music from cars. This is problematic early in the evening and early in the morning. Given the current issues 24 hour or additional access would ^{Given} ^{see extra sheet} ~~be~~ ^{cause} ~~be~~ ^{see extra sheet}

Public Safety

Security risk due to increased access to site at night time. The petrol station car park and forecourt are immediately adjacent to our (and neighbours) properties and additional hours would increase foot traffic and allow cover for being next to/by our boundaries (fence and garage/extension wall). This is currently a problem due to inadequate security on the site, but would become worse with additional opening hours.

Protection of Children from Harm

N/A

The term 'vicinity' is used in the Licensing Act 2003, in particular with reference to those 'interested parties' (see definition in guidance attached) who may lodge objections to applications for premises licences and who may make representations concerning existing premises licences. Unfortunately the Act does not define the term 'vicinity' but the licensing authority will determine each case on its individual merit.

If the licensing authority considers that relevant representations are made the licensing team will consider arranging a mediation meeting between the relevant parties (if all agree) to try and reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub Committee will follow, unless the interested parties withdraw their representations.

All representations in their entirety, including your name and address will be disclosed to the applicant for the premises licence.

Signed

Date 8/1/18

* Continued from "The Prevention of public nuisance"

have a significant impact on the ability to sleep as both the master bedroom, and the bedroom of my young son overlook the garage parking / firecourt. This is particularly problematic in summer when the heat indoors requires the bedroom windows to be open.

2) increased noise from deliveries / delivery vehicles. Although opening hours are 7am - 10pm, vehicles for deliveries often appear outside these times, already impacting our ability to sleep / quality of sleep. Increased opening hours or 24 hours would require more deliveries and allow for deliveries at unsuitable times having the same negative impact as listed for point one.

3) increased light pollution. The floodlights for the garage firecourt are directly outside our master bedroom window. Currently the light is switched off at 10pm and on at 6am. Additional opening hours or 24 hour opening would cause disturbance from the light as it is bright enough to affect the light in the room despite reasonable adaptations having been made by us. 24 hour lighting would have a detrimental impact on our ability to sleep.

4) increased ^{air} pollution. We are already affected by current vehicle exhaust pollution caused by a well used petrol station that regularly has large vehicles and delivery vehicles using it, as well as ordinary cars. Many of the larger vehicles leave engines on and idling, which causes extra pollution. Increased use of the petrol station would inevitably be a result of additional hours / 24 hour access which would have a negative impact on air quality. This would be more impactful in summer when we need to open windows and use the garden (part of which directly backs on to the parking for the petrol station). The air pollution issue is more concerning given research that shows diesel engine fumes to be more dangerous than previously thought.

All these issues have already been acknowledged by SDC Planning, who have on a number of previous occasions rejected applications for additional opening hours and 24 hour opening on the grounds that it would "substantially harm residential amenity" of both our property (6 Sheephead Lane) - previously and our neighbour's property (5 Sheephead Lane). Both properties are directly referenced in the planning rejection (although under their previous address designations - 125A and 125B High Street). I have attached the previous application response for reference. Any 24 hour licence, or acting, additional opening hours would increase public nuisance for us and our neighbours.

Thank you for your consideration.

.....
Please print name

Please return this form along with any additional sheets to:

The Licensing Section
South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambridgeshire
CB23 6EA

Telephone: 01954 713132/713024/713144

Email: licensing@scambs.gov.uk

This form should be returned along with any additional information you may feel relevant within the Statutory Period, which is 20 working days from the day after the day on which the application was given to the licensing authority by the Applicant.

In the case of a request for review, a copy of your letter must be served on the Premises Licence Holder as well as to the Licensing Authority

However, because of the tight timescales involved, and to assist in the determination of the application process, any representations should be forwarded to the licensing authority AS SOON AS POSSIBLE and preferably within 14 days of notification of the application.

If in any doubt, please contact the Licensing section on the above telephone number.

For Reference

Previous application rejected for impact on residential amenity

DELEGATION FORM

S/1268/10

VARIATION OF CONDITION 8 OF CONSENT REF. S/0797/90/F TO ALLOW ADDITIONAL OPENING HOURS - Harston Service Station, 123, High Street, Harston, Cambridge, Cambridgeshire, CB22 7QB

Recommendation: Delegated Refusal

Date for Determination: 27-Sep-2010

Site and Proposal

Variation of Condition 8 of planning permission S/0767/90/F to allow additional opening hours.

123 High Street is a petrol filling station with forecourt located fairly centrally within the settlement of Harston. The forecourt has independent entrance and exit points and is served by a small kiosk. The current use as a petrol filling station was approved in 1990 in accordance with application ref S/0767/90/F, but it would appear that the site has been used to pump fuel since at least the early 1970's (see application ref C/1269/72/F).

High Street Harston forms part of the A10 and as is a relatively busy through road. Surrounding development is predominantly residential of a mix of age and form.

Planning History

C/1269/72/F – Forecourt canopy over petrol pumps – Approved

S/0767/90/F – Redevelopment of petrol filling service station including shop, office and alterations to access – Approved

S/0367/10/F – Removal of Condition 8 of planning permission S/0767/90/F to allow for the petrol filling station to operate 24hours – Withdrawn following concerns raised for neighbour impact.

S/0844/10/F – Variation of Condition Number 8 to allow additional opening hours (one hour at either end of the day) – Withdrawn following concerns raised for neighbour impact.

Policies

DP/3 - Development Criteria

NE/15 - Noise Pollution

NE/14 - Lighting Proposals

Consultations

Parish Council – Recommends refusal on the grounds of amenity impact in the form of noise and disturbance to nearby residential dwellings.

Local Highway Authority – No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

Environmental Health – No comments received – however for previous applications comments received stating 'no adverse comments in respect of the above application but would recommend that a condition be imposed to prohibit the deliveries of fuel between 22:00 – 07:00 hours'.

Representations

Three letters of representation received from the occupants of; 122, 125a & 125b High Street, objecting to proposals for the following reasons:

- Noise and disturbance from customer use of the station and from fuel and goods deliveries
- Light pollution
- Smells
- Loss of privacy
- Highway issues
- Security

Planning Comments

The site was granted planning permission for redevelopment as petrol filling station in the early 1990s. At this time a conditional requirement of the consent was that the filling station was to be restricted to opening hours of 7:00am – 10:00pm on weekdays and 8:00am – 10:00pm on Sundays. The reason for this condition was to minimise disturbance and loss of privacy to adjoining residents. As such the key issues to consider in this instance are the impact of proposals upon the residential amenity of neighboring dwellings should this condition be varied to allow increased hours of opening 6:00am-10:00pm on weekdays and 8:00am – 10:00pm on Sundays.

It is considered that the greatest potential for impact upon residential amenity is upon nos 125A and 125B High Street, which share a common boundary with the filling station. The rear elevations of these dwellings are sited approximately 5.5m from the common boundary and approximately 16m from the pump canopy. The common boundary at this point comprises a fence of approximately 1.8m in height with taller coniferous hedging behind. Letters of representation objecting to the proposals on the grounds of amenity impact have been received from the occupants of both of these dwellings.

Variation of the condition to allow additional hours of use of the filling station site is considered to impact upon the residential amenity of these two dwellings. The chief concern is for the noise and disturbance impact that general use of the filling station at anti-social hours would have upon the occupants of these dwellings. The present limit on the hours of use are considered to be within social hours where the average person can be expected to be awake and thus a degree of noise and disturbance is not impacting upon sleep. Extending the opening hours to an hour earlier of the current limit would result in use of the forecourt and station in hours of the morning during which it reasonable to expect the average person to be sleeping/in bed.

It is also acknowledged that the filling station site would need to be illuminated during the evening hours and early morning hours in the winter months. There are down lit lampposts within close proximity to the common boundaries with nos. 125a and 125b. This illumination is also considered likely to impact upon the residential amenity of the occupants of 125A and 125B High Street if the hours of use were to be extended.

Further Considerations – The Local Highway Authority have not commented upon proposals. However a previous application seeking 24-hour use for the garage was considered by the LHA who did not consider that there would be an undue impact upon highway safety should the limiting condition be removed

Representations received raise concerns for a proliferation of antisocial behavior on the forecourt of the filling station should 24hr use be allowed. It is hard to see how this would occur as CCTV protects the site and were it to be manned during the night then this would be a deterrent to antisocial behavior.

On the basis of the above, the application is hereby refused, for the following reasons.

Decision

Delegated Refusal

For the following reasons:-

1. **123 High Street is located in a predominantly residential area. Adjacent dwellings no's 125A and 125B High Street share a common boundary with the site and the rear elevations of these dwellings are within close proximity to the operational areas of the site. Variation of condition 8 of planning permission ref S/0767/90/F to allow for increased hours of use of the site during weekday and Saturday mornings is considered to substantially harm the residential amenity of the occupants of 125A and 125B High Street, through adverse noise and disturbance from general use of the forecourt and through light pollution arising from night time illumination of the site. To this end the proposals are considered contrary to policies NE/14 and NE/15 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, 2007, which seek to ensure that there is no unacceptable adverse impact on neighbouring or nearby properties from lighting and that there is no unacceptable adverse impact upon indoor and outdoor acoustic environment of neighbouring properties.**

Contact Officer: Matthew Hare - Planning Officer
01954 713180

SIGNATURE OF DELEGATION OFFICER

DATE

Plans to be stamped:

PA-01

3

**THE LICENSING ACT 2003
REPRESENTATION FORM FOR "INTERESTED PERSON" / "BODY"
(living in the 'vicinity' of the premises detailed below)**

Your name / Company name	Harston Parish Council
(Name of Body you represent) Please tick one: <input type="checkbox"/>	
i) a person affected by the application <input type="checkbox"/> ii) a body representing persons <input type="checkbox"/>	
o iii) a person involved in a business <input type="checkbox"/> o iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	C/O 14 Beverley Way, Trumpington, Cambridge CB2 9JS
Contact telephone number:	
Mobile Number:	
Email address:	harstonparishclerk@gmail.com

Name of Premises you are making a representation about:	BP Garage
Address of the premises you are making a representation about:	123 High Street, Harston, Cambridge CB2 5QB

The prevention of crime and disorder

We believe that the current opening hours are appropriate and feel that having had a failed Planning application to allow 24 hour opening, it that this application for a change in licence to enable the shop to be open and the ability to sell alcohol between 11pm and 5am effectively makes it a 24 hour garage. The Council would not support the extension to opening times or licencing hours. Having a facility in the village that opens throughout the night, selling alcohol, would be an unwelcome addition in this residential area

The prevention of public nuisance

The garage is in the middle of a residential area. Vehicles arriving until the small hours, perhaps drinking on the forecourt, is not acceptable to the Council. The forecourt of this garage has been the scene of anti-social behaviour in the past and Harston Parish Council has no wish to encourage a repeat based on late night drinking there

Public Safety

**Chief Environmental
Health Office
15 JAN 2018
South Cambridgeshire
District Council**

Protection of Children from Harm

If the licensing authority considers that relevant representations are made the licensing team will consider arranging a mediation meeting between the relevant parties (if all agree) to try and reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub Committee will follow, unless the interested parties withdraw their representations.

All representations in their entirety, including your name and address will be disclosed to the applicant for the premises licence.

Signed

Date 14 January 2018...

Sue Atherton, Clerk, Harston Parish Council

Please print name

Please return this form along with any additional sheets to the relevant authority.

This form should be returned along with any additional information you may feel relevant within the Statutory Period, which is 28 days from the day after the day on which the application was given to the licensing authority by the Applicant.

In the case of a request for review, a copy of your letter must be served on the Premises Licence Holder as well as to the Licensing Authority

However, because of the tight timescales involved, and to assist in the determination of the application process, any representations should be forwarded to the licensing authority AS SOON AS POSSIBLE and BY NO LATER THAN THE DATE GIVEN BY THE LICENSING AUTHORITY.

If in any doubt, please contact the Licensing section.

