

APPLICATION TO GRANT A PREMISES LICENCE J&DE

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

Date of Hearing: 22 May 2020
Applicant's Name: J&DE Ltd
Premises Address: Ash House, School Lane, Chittering, CB25 9PW
Application: Premises Licence

Those present at the hearing:

Sub-Committee: Councillor Jose Hales (Chairman)
Councillor Shrobona Bhattacharya
Councillor Peter Fane

SCDC Officers: Jen Holah, Licensing Officer
Paul Weller, Legal Adviser
Victoria Wallace, Democratic Services Officer
Aaron Clarke, Democratic Services Officer

Applicant: Mr Damien Egan

Representee/s: Ms Myra Gaunt

Declarations of interest

There were no declarations of interest.

The application

The application to grant a Premises Licence J&DE, Ash House, School Lane, Chittering, CB25 9PW. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003.

The application is for the Grant of a new Premises Licence.

The requested days and times for opening, Sale of Alcohol for consumption off the premises:

Monday	08:00 to 17:00
Tuesday	08:00 to 17:00
Wednesday	08:00 to 17:00
Thursday	08:00 to 17:00
Friday	08:00 to 17:00
Saturday	08:00 to 17:00

Background

The premises are located in School Lane, Chittering, which is off the A10 Ely Road.

As required by the Licensing Act policy, the application was set to all responsible authorities for consultation as part of the licensing application process and representations were received from Councillor Anna Bradnam as part of this process. Emails were also received from local residents.

A photograph of the Blue Notice correctly displayed was received.

The Notice was advertised in the Cambridge Independent on the 8th April 2020.

Right to work checks were made on the application as part of the application and were approved.

As part of the application process, the applicant was made aware of the representations that were received.

Relevant representations

Environmental Health made comments on the application which were shared with the applicant and agreed via email. During the mediation process the conditions to be added to the licence were emailed to the representees, however representations were upheld.

On 23rd April 2020, a representation was received from an interested party relating to the prevention of public nuisance and crime and disorder objectives. Three representations were received on 24th and 27th April relating to issues surrounding the public safety objective. On 9th April 2020, a representation was received from Councillor Anna Bradnam, District Councillor for Milton and Waterbeach relating to issues surrounding public safety objective and prevention of public nuisance.

Observations:

The panel heard representations from the applicant and from a local resident. The applicant explained the nature of his business and the need to change the business model to enable it to survive in light of the restrictions caused by the Covid-19 pandemic. The representee's main concern related to the potential impact on traffic particularly in relation to the potential for customers to visit the premises. The applicant confirmed that he was willing to not allow customers to come on to site now and in the future.

The decision

The Sub-Committee was satisfied that the applicant had addressed the concerns raised by the representees.

Taking all the above into account and the evidence provided in the application and by the applicant during the hearing, the Sub-Committee AGREED the application for the grant of a Premises Licence for the Sale of Alcohol for consumption off the premises for the following days and times for opening:

Monday	08:00 to 17:00
Tuesday	08:00 to 17:00
Wednesday	08:00 to 17:00
Thursday	08:00 to 17:00
Friday	08:00 to 17:00
Saturday	08:00 to 17:00

The conditions of the licence offered by the applicant and as already agreed between the applicant and Environmental Health, are to be imposed on the licence with the following exceptions:

1. Where a condition agreed with Environmental Health duplicates any condition offered by the applicant then the condition agreed with Environmental Health will be imposed.

2. The condition requiring that any recordings from the CCTV system be kept for a minimum of 31 days be amended so that the recordings are kept for a minimum of 21 days.

Reasons for the decision

The sub-committee having reviewed all the representations decided that the conditions to be imposed on the licence met the four licensing objectives.

All parties 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 Applicant 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.

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

Signed:

Councillor Jose Hales (Chairman)

Councillor Shrobona Bhattacharya

Councillor Peter Fane

Dated: 22 May 2020