

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Licensing Sub-Committee (2003 Act)

22 September 2017

AUTHOR/S: Licensing Officer

APPLICATION FOR PREMISES LICENCE:

The Boot Public House, 1 High Street, Histon

The Application

1. The application (**Appendix A**) for a premises licence on behalf of The White Brasserie Company, 106-108, High Street, Teddington TW11 8JD was received by the licensing section in accordance with the Licensing Act 2003. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003.

The premises are requesting the following:

- Sale by retail of alcohol for consumption on and off the premises:-
 - Monday to Thursday 09.00 to 00.00 (Midnight)
 - Friday & Saturday 09.00 to 01.00
 - Sunday 10.00 to 23.00
 - New Years Eve 00.00 through to finish time on New Years Day.
- Late Night Refreshment (indoors only)
 - Monday to Thursday 23.00 to 00..30
 - Friday & Saturday 23.00 to 01.30
 - Sunday 23.00 to 23.30
- Premises to be open to the public :-
 - Monday to Saturday 09.00 to 01.30
 - Sunday 09.00 to 23.30

Background

2. The premise is in a village location positioned on the High Street, in a mixed use residential and business area. (**Appendix B**)
3. This application is for a new premises licence, however there is an existing licence currently in force held by Punch Taverns (**Appendix C**).
4. It is the stated intention that if this application is successful then the existing licence will be surrendered (**Appendix D**).
5. As part of the application process, no representations have been received from Responsible Authorities, however valid representation has been received from a resident in the area.

6. On the 4th September persons making representations were contacted by the solicitor acting on behalf of the White Brasserie Company offering an amended application offering to amend the terminal hours for supply of alcohol to :-
- Sunday to Thursday 23.30
 - Friday and Saturday 00.00 (Midnight)
7. Following this amended offer, one representee withdrew their representation.

Relevant Representations

8. Relevant representations that have not been withdrawn are attached as. (**Appendix E**).

Officer's Views

9. The sub-committee should be mindful to give consideration to the proposed application only. The existence of a previous licence and conditions whether in force or not should not be automatically imposed on a new licence, each application should be considered on its individual merits.
10. The sub-committee has the right under the Licensing Act 2003 to determine this application after considering any representations.

The sub-committee may :-

- a) Accept the proposed application as submitted,
- b) Reject the application or
- c) Agree the application but impose conditions that promote the relevant Licensing objectives.

Guidance in the South Cambridgeshire District Council Licensing Policy in relation to such issues states that conditions maybe considered and examples are listed under the relevant sections below.

Example Conditions relating to the prevention of public nuisance.

- 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) 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 can be restricted by the conditions of a premises licence for the prevention of public nuisance:

- 1) Conditions may be placed on premises restricting 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.

Legal Implications

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

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