

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Licensing Sub-Committee (2003 Act)
AUTHOR/S: Director Health & Environmental. Services

7 March 2019

APPLICATION TO GRANT A PREMISES LICENCE MRH AERODROME

The Application

1. The application to grant a Premises Licence for MRH Aerodrome was received by the licensing department on the 16 January 2019. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003 (**APPENDIX A**)

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

The requested days and times for opening, Supply of Alcohol, applied for are as follows:-

MONDAY - SUNDAY

Opening Hours:	00.00 to 24.00
Supply of Alcohol	00.00 to 24.00 (off the premises)
Late Night Refreshment	23.00 to 05.00 (on & off the premises)

Background

2. The premise is situated on the A505 Duxford opposite the IMW Museum. The nearest residential property is shown on the map (**APPENDIX B**)
3. As required by the Licensing Act policy, the application was sent to all responsible authorities for consultation as part of the licensing application process. No representations have been received by the responsible authorities.
4. On the 17 January evidence that the Notice was advertised in the Cambridge News and photos of the Blue Notice displayed correctly (**APPENDIX C**)
5. As part of the application process the applicant has been made aware of the representations

Relevant Representations

6. No representations have been received from the responsible authorities however a representation has been made by an interested party

12 February 2019 a representation was received (**APPENDIX D**).

The representation submitted by the representee relates primarily to the Public Nuisance objectives.

7. On the 13 February the applicant made a suggested additional condition (**APPENDIX E**)
8. On 22 February the licensing department received a map showing an area of 50m around the premises (**APPENDIX F**)

Officer's Views

Members when considering the application should be aware that they may only take into consideration the parts of the application that represent the licensing objectives.

1. The Prevention of Crime and Disorder
2. Public Safety
3. The prevention of public nuisance
4. The protection of children from harm

Members have the right under the Licensing Act 2003 to determine this application after considering any relevant representations, Members may

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

Legislation Guidance

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

Conditions referred to within the South Cambridgeshire Licensing Policy relating to the prevention of public nuisance.

Example conditions relating to the prevention of public nuisance.

- a. Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties

- b. 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.
- c. The placing of refuse - such as bottles- into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.
- d. 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.
- e. 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).

Legal Implications

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

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