

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Licensing Sub-Committee (2003 Act)  
**AUTHOR/S:** Chief Environmental Health Officer

18/08/20

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**APPLICATION TO GRANT A PREMISES LICENCE  
O & T WINES**

**The Application**

1. The application (APPENDIX A) to Grant a licence for O & T Wines Limited was received by the licensing section on the 7<sup>th</sup> July 2020 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 Sale of Alcohol for consumption on the premises are as follows:-

Monday 9:00 to 18:00  
Tuesday 9:00 to 18:00  
Wednesday 9:00 to 18:00  
Thursday 9:00 to 18:00  
Friday 9:00 to 18:00

**Background**

2. This application is being put forward to the Licensing Committee to determine the granting of the licence due to the relationship between the applicant and a Member of the Council. Theo Gough, the applicant, is the son of Cllr Gough.
3. All applications which are submitted by, or on behalf of, a member of the Council in their private capacity or by a close friend, relative or the partner of a member (as defined in the Code of Conduct for Members) shall be reported to the committee for a decision, rather than being dealt with in accordance with the Scheme of Delegation to Officers.
4. The premises are located at Unit B, Broad Lane Industrial Estate in Cottenham and is within the premises of N & M Wholesalers who have a current premises licence for the whole building. This application is for Room 3 only within that premises. A map of the interior (APPENDIX B)
5. A photograph of the Blue Notice correctly displayed was received (APPENDIX C).
6. The Notice was advertised in the Cambridge News on the 16<sup>th</sup> July 2020 (APPENDIX D)

7. Right to work checks were made on the applicant as part of the application and were approved.
8. As required by the Licensing Act policy, the application was sent to all responsible authorities for consultation as part of the licensing application process.

### **Relevant Representations**

9. A representation was received as part of this process from Environmental Health to add conditions and amend the opening hours (Appendix E), these have been accepted by the applicant and therefore Environmental Health has no objection to the granting of the licence on this basis.
10. Emails were also received from Cambridgeshire Fire & Rescue Service (Appendix F) and Trading standards declaring that they had no objections to the application (Appendix G).

### **Officer's Views**

11. 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
12. Members have the right under the Licensing Act 2003 to determine this application after considering any relevant representations
13. The Licensing Act does not exempt the Council from fulfilling its obligations under s17 of the Crime and Disorder Act 1998.
14. The Immigration Act 2016 and the Policing and Crime Act 2017 and will incorporate these pieces of legislation into its licensing processes as a matter of course.
15. To achieve these objectives the Council will use its full range of powers and will engage all relevant responsibilities including planning controls, transport controls, crime reduction controls and relevant policies or strategies that will promote the Licensing objectives. The Council will work closely with the Police, Fire Service, Businesses, community representatives and local people in meeting these objectives.
16. There is no application for Late Night Refreshment and therefore hot food and drink can't be served after 11pm without a further application for a variation.
17. 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

### **Policy Considerations**

18. The South Cambridgeshire Licensing Policy relating to the Prevention of Crime and Disorder, Public Safety, The prevention of public nuisance and The Protection of Children from Harm.

### **Legal Implications**

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

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