



<b>Report to:</b>	Licensing Sub-Committee (Licensing Act 2003) 18 November 2021
<b>Lead Cabinet Member:</b>	Brian Milnes
<b>Lead Officer:</b>	Bode Esan

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## **Application for a Premises Licence: Clopton Manor, Clopton Farm, Lower Road, Croydon, SG8 0EF**

### **Executive Summary**

1. The Committee is asked to determine an application for a Premises Licence under section 17 and 18 of the Licensing Act 2003, which has been subject to representation from local residents and Clopton Parish Council.

### **Recommendations**

2. It is recommended that the Committee determine the application for a premises licence at a hearing pursuant to section 18(3) Licensing Act 2003.
3. The Council, the applicant and all persons who made valid representations may agree to dispense with the hearing provided notice is given in accordance with The Licensing Act 2003 (Hearings) Regulations 2005 regulation 9.

### **Details**

4. On 6 September 2021, an application for a premises licence for Clopton Manor, Clopton Farm, Croydon, SG8 0EF was submitted to the Licensing Authority, and advertised and consulted upon.
5. The application is to permit:
  - the supply of alcohol for consumption on the premises
  - the provision of recorded music (indoors) and;
  - live music (both indoors and outdoors)

from 12:00 until 23:00 Monday to Sunday.

6. The application form is attached as Appendix A, and a location plan attached as Appendix B.

7. The application was advertised in the Cambridge News on 14 October 2021, and the site notice displayed on the premises as required.
8. Cambridge Fire and Rescue Service have no objection to the application, but requested that a suitable and sufficient fire risk assessment must be conducted and documented of the premises under the Fire Safety Order, to help identify fire hazards and the measures and arrangements required to safeguard all relevant persons on the premises. The fire risk assessment should be conducted by a competent person with relevant knowledge, skills and experience of fire safety matters.
9. Cambridgeshire & Peterborough Trading Standards Service have provided the applicant with information relating to with Challenge 25, and confirmed they have no comments to make in relation to this application.
10. There were no responses from other Responsible Authorities.
11. Representations have been received from Clopton Parish Council and three local residents. The Parish Council also submit that 5 residents (households) support the application. There was a further resident in support of the application.
12. The redacted representations are attached as Appendix C.
13. The Licensing Act (Hearings) Regulations 2005 prescribe that a Hearing must commence within 20 working days beginning with the day after the end of the consultation period i.e. by 12 November 2021. Due to operational issues, it was necessary to extend the timescales in which a Hearing was to take place by six days. All parties have been advised of this.
14. There are no policy presumptions within the Council's Statement of Licensing policy, against the grant of the licence unless it can be shown that the application would undermine or prejudice the licensing objectives.

## **Options**

15. The Sub-Committee in determining the application will consider the steps set out in section 18(4) Licensing Act 2003.
16. The Sub-Committee will decide whether to grant the licence (imposing all mandatory conditions) in the terms set out in the application or take any of the following steps before granting the licence:
  - a. modify and grant the licence with such conditions it considers required for the promotion of the licensing objectives, which can include granting the licence subject to different conditions in respect of different parts of the premises or different licensable activities;
  - b. grant the licence in different terms by excluding from the scope of the licence any of the licensable activities to which the application relates;

- c. refuse to specify the person nominated in the licence as the premises supervisor and require a different person be so nominated and accepted by the Sub-Committee before granting the licence;
- d. reject the application entirely.

17. The Sub-Committee must give the reasons for the decision.

## **Implications**

18. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

## **Legal**

19. The Council, the applicant and all persons who made valid representations may agree to dispense with the hearing provided notice is given in accordance with The Licensing Act 2003 (Hearings) Regulations 2005 regulations.

20. When determining applications, the Sub-Committee recognises the Council as the licensing authority is required to carry out its functions with a view to promoting the licensing objectives;

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

21. In considering the licensing objections the Council must have regard to its statement of Licensing Policy, and to the statutory guidance (Revised Guidance April 2018) issued under section 182 Licensing Act 2003. The application process is considered at section 8 of that Guidance. The procedure and information on hearings starts at 9.31 of that Guidance.

22. Any party aggrieved by the decision of the Sub-Committee has the right of appeal to the Magistrates' Court.

## **Risks/Opportunities**

23. The decision creates no additional risks or opportunities in the context of the Council's risk management.

## **Background Papers**

South Cambridge Council Statement of Licensing Policy (Licensing Act 2003)  
**<https://www.scambs.gov.uk/licensing/alcohol-and-premises/premises-and-club-licences/>**

Guidance Issued under Section 182 of the Licensing Act 2003 **(Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK (www.gov.uk))**

Licensing Act 2003 **[Licensing Act 2003 \(legislation.gov.uk\)](http://legislation.gov.uk)**

The Licensing Act 2003 (Hearings) Regulations 2005 **[The Licensing Act 2003 \(Hearings\) Regulations 2005 \(legislation.gov.uk\)](http://legislation.gov.uk)**

## **Appendices**

Appendix A: Copy of Application form

Appendix B: Location plan

Appendix C: Copy of representations

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