

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Licensing Sub-Committee (2003 Act) 28 April 2008
AUTHOR/S: Corporate Manager, Health & Environmental Services / Assistant Licensing Officer

APPLICATION FOR VARIATION OF PREMISES LICENCE: CHEQUERS PUBLIC HOUSE, COTTENHAM

The Application

1. The application (**APPENDIX A**) to vary a premises licence at The Chequers Public House, 297 High Street, Cottenham, Cambridgeshire was received by the Licensing Section in accordance with the Licensing Act 2003.
2. The premises currently have the following permissions:
 - Performance of live music
 - Any playing of recorded music
 - Entertainment of a similar description to that falling within entertainment facilities for making music or dancing
 - The sale by retail of alcohol
3. For full details please refer to the current licence (**APPENDIX B**).

Background

4. The premise is in a village location with residential properties in the surrounding area as seen in (**APPENDIX C**). The premise is situated on a main road, in the heart of the village opposite the green.
5. The application is for:

Live Music, Recorded Music, Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors) and Supply of Alcohol (On and off);

Monday to Thursday	11.00 – 00:00
Friday	11:00 – 02:30
Saturday	11:00 – 02:30
Sunday	12:00 – 22:30

Friday and Saturday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday and Easter Bank Holiday weekend until 02:30h into the following morning.

Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend until 00:00h, Thursday, Sunday and Monday for the Easter Bank Holiday weekend until 00:00h.

Christmas Eve and Boxing Day until 02:30h into the following morning. From the start of permitted hours New Years Eve to the end of permitted hours New Years Day.

Hours premises are open to the public;

Monday to Thursday	11:00 – 00:30
Friday	11:00 – 03:00
Saturday	11:00 – 03:00
Sunday	12:00 – 23:00

Friday and Saturday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday and Easter Bank Holiday weekend until 03:00h into the flowing morning.

Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend until 00:30h, Thursday, Sunday and Monday for they Easter Bank Holiday weekend until 00:30h.

Christmas Eve and Boxing Day until 03:00h into the following morning. From the start of permitted hours New Years Eve to the end of permitted hours New Years Day.

Relevant Representations

4. A relevant representation concerning the prevention of public nuisance was received from the Environmental Health Officer for this area (**APPENDIX D**).

Officer's Views

5. Members have the right under the Licensing Act 2003 to determine this application after considering any representations. Members may accept the application as submitted, reject the application or impose conditions that promote the relevant Licensing objectives. The representations made are based on the Public Nuisance objectives and therefore any decisions imposed must relate to this objective only. 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 section below.

Policy Considerations

6. Conditions referred to within the South Cambridgeshire Licensing Policy relating to the prevention of Public Nuisance.

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) **The placing of refuse - such as bottles- into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.**
 - 5) **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.**
 - 6) **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 or to members and their guests can be restricted by the conditions of a premises licence or club premises certificate for the prevention of public nuisance:

- 1) **Conditions may be placed on premises restricting (other than where they are protected by the transitional provisions of the Act) 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

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

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