

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

22 May 2012

APPLICATION FOR A PREMISE LICENCE SHEENE MILL HOTEL & RESTAURANT, STATION ROAD, MELBOURN

Purpose

1. To refer the application under the Licensing Act 2003 to grant the licence of the Sheene Mill Hotel & Restaurant, Station Road, Melbourn for decision following the receipt of representations.
2. This is not a key decision because it is an appeal heard under the statutory duties placed upon South Cambridgeshire District Council under the Licensing Act 2003.

Background

3. Sheene Mill does not currently hold a Premises Licence.
4. An application to grant a premises licence was made on 5 April 2012 in accordance with the Licensing Act 2003, see **APPENDIX A** attached.
5. The premise is a hotel and restaurant set in a village location with residential properties in close proximity, as shown in **APPENDIX B**.
6. The company that managed the premises last year was dissolved on 27 September 2011, which invalidated the premises licence. As steps were not taken by the new management, it became automatically invalid after 28 days of the previous company being dissolved.
7. This is a new application as a result of the Council being notified of the above information by Companies House.
8. The permissions applied for are as follows:-
 - Opening Hours
 - Monday to Sunday 24 hours
 - Live Music (Indoors & Outdoors)
 - Monday to Thursday 11.00 to Midnight
 - Friday 11.00 to 02.00
 - Saturday 11.00 to Midnight
 - Sunday 12.00 to 22.30
 - Recorded Music (Indoors & Outdoors)
 - Monday to Thursday 11.00 to Midnight
 - Friday 11.00 to 02.00
 - Saturday 11.00 to Midnight
 - Sunday 12.00 to 22.30

- Anything of a Similar Description to that falling in (e) (f) or (g) (Indoors & outdoors)
 - Monday to Thursday 11.00 to Midnight
 - Friday 11.00 to 02.00
 - Saturday 11.00 to Midnight
 - Sunday 12.00 to 22.30
- Provision of Facilities for Making Music (Indoors & Outdoors)
 - Monday to Thursday 11.00 to Midnight
 - Friday 11.00 to 02.00
 - Saturday 11.00 to Midnight
 - Sunday 12.00 to 22.30
- Provision of Facilities for Dancing (Indoors & Outdoors)
 - Monday to Thursday 11.00 to Midnight
 - Friday 11.00 to 02.00
 - Saturday 11.00 to Midnight
 - Sunday 12.00 to 22.30
- Provision of Facilities for Entertainment of a Similar description to that falling within (i) or (j) – (indoors & Outdoors)
 - Monday to Thursday 11.00 to Midnight
 - Friday 11.00 to 02.00
 - Saturday 11.00 to Midnight
 - Sunday 12.00 to 22.30
- Sale of alcohol (indoors & Outdoors)
 - Monday to Saturday 10.00 to Midnight
 - Sunday 12.00 to 23.30
 - Good Friday 12.00 to 23.30
 - New Years Eve 10.00 to 00.00
 - New Years Eve 12.00 to Midnight (if on a Sunday)
 - New Years Day 00.00 to Midnight
 - New Years Day 00.00 to 23.30 (if on a Sunday)

Considerations

9. A relevant representation was made in respect of the application by a responsible authority, attached at **APPENDIX C**.
10. In considering the application, the Sub-Committee must have regard to both the South Cambridgeshire District Council Licensing Policy and guidance issued by the Secretary of State under s.182 of the Licensing Act 2003, key considerations are:
 - Each application must be considered on its individual merits
 - Reasons should be given for any decision reached and should be evidenced-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve
 - Only the 4 Licensing Objectives may be taken into consideration when reaching a decision
 - The Licensing Sub Committee must not be used as a method of re hearing objections raised in other areas, ie planning issues
 - Guidance in the South Cambridgeshire District Council Licensing Policy in relation to such issues states that conditions may be considered and examples are listed as attached at **APPENDIX D**.

Options

11. The Sub-Committee has the right under the Licensing Act 2003 to determine the application after considering the representations, in one of the following ways:
- accept the application as submitted,
 - reject the application, or
 - impose conditions that promote the relevant Licensing objectives.

Implications

12.	Financial	N/A
	Legal	Both applicant and representees will have a right of appeal to a magistrates court following any decision made by the Licensing Sub-Committee
	Staffing	N/A
	Risk Management	N/A
	Equality and Diversity	N/A
	Equality Impact Assessment completed	No This hearing is by way of a specific appeal and does not affect any policy adopted by SCDC
	Climate Change	N/A

Consultations

13. The Licensing Act 2003 has a specific procedure for consultation which is in the form of a blue notice being displayed on or at the premises and an advert in a local newspaper circulating in the area. This procedure was followed by the applicant.

Conclusions / Summary

14. The application before the panel is for a premises licence for Sheene Mill Hotel & Restaurant, Station Road, Melbourn, Nr Royston, Herts.
15. The application is for the grant of a premises licence to enable licensable activities.
16. A Representation has been received by a responsible authority.
17. The matter is now referred to the Licensing (2003 Act) Sub Committee for decision.

Background Papers: the following background papers were used in the preparation of this report:

Licensing Act 2003
Amended Guidance Issued under S.182 of the Licensing Act 2003
South Cambridgeshire District Council Licensing Policy

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