

**LICENSING SUBCOMMITTEE  
(2003 ACT)**19 September 2005  
10.00am – 14.00am**Present:** Councillors Blencowe, Dixon and Stuart.**FOR THE INFORMATION OF THE COUNCIL****05/licA/41 ELECTION OF CHAIR**

Councillor Dixon was elected Chair for the meeting.

**05/licA/42 APOLOGIES**

All members were present.

**05/licA/43 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**05/licA/44 PROCEDURE TO BE FOLLOWED**

The procedure for hearings of the subcommittee was noted.

**05/licA/45 THE GREEN DRAGON, WATER STREET**

**Present:** Mr Moody (Greene King Area Manager), Grant Adlam (Licensee); Dr Godley, Mr Brown, Mr Towers and Mr Manon (objectors)

*Licensing Officer*

The licensing officer presented the report to the Sub-committee and read one letter, with the agreement of the applicant, from residents who were unable to attend the meeting. The residents noted the lack of delivery access to the premises for lorries due to the narrowness of the street, the lack of parking space and the fact that the Green Dragon was in a residential area.

*Applicant*

The applicant described the Green Dragon as a local pub with a long tradition amongst local people. As the building dated back to the XVI century, it was a listed building and no variations or alterations were allowed. He said the Green Dragon was not a venue where live entertainment would be frequent, it would be once a quarter. They had no intention of changing the kind of pub operation. They were only asking for an extra half hour on Sunday and an extra hour on Friday and Saturday, were mindful of the location and potential for noise and were taking steps to ensure noise was regulated.

*Interested Parties*

The Objectors did not consider music and additional entertainment necessary and held the pub in great regard; they were happy with the way the pub had been run by the current owners. However, all of them were concerned that the proposed new changes would attract different customers. They were also concerned about the antisocial behaviour of customers coming out of the pub late at night.

The objectors circulated an aerial photograph showing the proximity of the neighbours and that one neighbour shared a party wall with the pub. The applicant had previously said that the premises were unsuited to music. Conditions would not be effective. It was too hot to keep doors and windows shut in warm weather.

Mr Brown stated that any event would cause disturbance and proposed to limit events to four per year, with two months' previous notice being given to residents. He also pointed out the fact that they were only intending to hold four events per year.

Mr Brown complained to the Subcommittee that in 2001 a number of events were held without a licence and an abatement notice was served. The live entertainment in the evening was particularly intrusive with country music and Elvis Presley impersonations.

The objectors asked the committee to refuse the application as although the increase in hours was relatively modest, given the area he didn't see why the variation should be granted. Families and those working did not want their sleep disturbed.

When asked about the number of incidents concerning noise, the applicant clarified that they had stopped any form of entertainment to prevent nuisance and that the microphone was only used for quiz nights.

The Chair asked the applicant about the noise made by people crossing the road to the garden. The applicant said the piece of land was rented, seating was regulated and they could not introduce gas heaters. It was very popular in the summer and they would like to be able to offer food and drink to customers there.

The Sub-committee adjourned to consider the application.

## **Decision**

In reaching the decision on the application, the Sub-Committee considered the material presented to the Sub-Committee, the written and oral representations made, the Council's Statement of Licensing Policy and the statutory guidance under the Licensing Act 2003.

In this case, the Sub-Committee had to balance the interests of the applicants with those of the wider community. The decision was reached on its individual merits, bearing in mind that these premises are in a residential area with residential rooms adjoining the premises.

Accordingly, it was **RESOLVED**:

To grant the variation application in part, subject to conditions translated from the applicant's Operating Schedule, the conditions recommended by the Environmental Protection Manager, and an additional condition to promote the prevention of public nuisance namely that 'No more than 4 regulated entertainment events be held each year' which conditions are considered to be necessary for the promotion of the licensing objectives.

Details of variation: -

The sale or supply of alcohol (on and off the premises):

Mon – Thurs & Sun: 11.00 to 23.00 hrs  
Fri & Sat: 11.00 to 00.00 hrs

New Year's Day, 17<sup>th</sup> March (St Patrick's Day), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, 23<sup>rd</sup> April (St George's Day), May (1<sup>st</sup>) Bank Holiday Monday, Spring (2<sup>nd</sup> in May) Bank Holiday Monday, August Bank Holiday, Christmas Eve, Christmas Day, Boxing Day, any other publicly declared Bank Holiday, the day preceding and proceeding a Bank Holiday – one extra hour.

Removal of current terms & conditions

Removal of restriction under s.168 Licensing Act 1964 (children under 14 prohibited from bars).

The provision of regulated entertainment (indoors only), live and recorded music and anything of a similar description; and the provision of facilities for dancing:

Live Music: Mon to Sun: 18.00 to 23.00 hrs

Recorded Music: Mon to Sun: 11.00 to 23.00 hrs

Provision of Facilities For Dancing: Mon to Sun: 18.00 to 23.00 hrs

Late Night Refreshment (indoors and outdoors):

Fri & Sat: 23.00 – 00.00 hrs

New Year's Day, 17<sup>th</sup> March (St Patrick's Day), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, 23<sup>rd</sup> April (St George's Day), May (1<sup>st</sup>) Bank Holiday Monday, Spring (2<sup>nd</sup> in May) Bank Holiday Monday, August Bank Holiday, Christmas Eve, Christmas Day, Boxing Day, any other publicly declared Bank Holiday, the day preceding and proceeding a Bank Holiday – one extra hour.

Hours premises open to the public

Mon – Thurs & Sun: 11.00 - 23.30 hrs

Fri & Sat: 11.00 – 00.30 hrs

New Year's Day, 17<sup>th</sup> March (St Patrick's Day), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, 23<sup>rd</sup> April (St George's Day), May (1<sup>st</sup>) Bank Holiday Monday, Spring (2<sup>nd</sup> in May) Bank Holiday Monday, **August Bank Holiday**,

Christmas Eve, Christmas Day, Boxing Day, any other publicly declared Bank Holiday, the day preceding and proceeding a Bank Holiday – one extra hour.

The variation to have effect from the 24<sup>th</sup> November 2005.

#### **05/licA/46 CLARE HALL, HERSCHEL ROAD**

**Present: Mr Hywel Griffiths (Applicant's Solicitor); Mr. Badcock (Head Porter), Mrs King, Ms Thompson ( Cambridge Preservation Society), Mr Malcolm Lunt (objectors)**

*Preliminary Matters:* Mr. Griffiths presented new documents (proof of service of notices and a letter from the Assistant Bursar addressing the concerns of the residents) to the Sub-committee with the previous consent of all parties

#### *Licensing Officer*

The Licensing Officer presented the report to the Sub-committee for a new application and a new licence. She sought clarification as to whether the application for sale of alcohol was on, off or both. Mr Griffiths said it was for on sales only.

#### *Applicant*

The College was a small graduate college and most of the functions were for college members and their guests. They were not seeking anything over and above what they had under the Vice Chancellors licence held since 1966.

The applicant's solicitor assured the Sub-committee that there was no intention to disturb the fellows or the residents. He also noted that they had accepted the conditions recommended by the Environmental Protection Manager and that they would comply with the Council's regulations for May Balls. In addition, he assured proper liaison with the porters on duty to monitor the events. As Clare Hall does not have any undergraduate students, any disturbance to local residents should be minimised.

The applicant assured the Sub-committee that the windows and the French doors would be closed, that porters would be on duty and that a mobile phone number would be made available in the event of nuisance.

#### *Interested Parties*

The objectors recommended conditions to minimise the nuisance for residents. They explained that they did not want to restrict the college's activities but that, on previous occasions, there were no porters on duty to deal with the nuisance. They advised that Clare Hall was an academic and residential building and that this proposal would affect 30 local residents and, although the premises were closed to the public, the events were open to friends and friends of friends.

The Chair advised the parties that at any time they could complain formally to review the decision.

## Decision

In reaching the decision on the application, the Sub-Committee considered the material presented to the Sub-Committee, the written and oral representations made, the Council's Statement of Licensing Policy and the statutory guidance under the Licensing Act 2003.

In this case, the Sub-Committee had to balance the interests of the applicants with those of the wider community. The decision was reached on its individual merits, bearing in mind that these premises are in a residential area.

Accordingly, it was RESOLVED:

*To grant the application, subject to conditions translated from the applicant's Operating Schedule, the conditions recommended by the Environmental Protection Manager and an additional condition to promote the prevention of public nuisance namely 'Doors and windows shall be kept shut during regulated entertainment, with the exception of the main entrance, to allow access and egress, and which should be kept shut so far as reasonably practicable',*

*which conditions are considered to be necessary for the promotion of the licensing objectives.*

Details of application: -

### The sale or supply of alcohol (on the premises):

|                  |                    |
|------------------|--------------------|
| Mon – Fri & Sun: | 12.00 to 23.00 hrs |
| Sat:             | 12.00 to 02.00 hrs |
| May Ball:        | 12.00 to 05.00 hrs |

### The provision of regulated entertainment namely, plays, films, live and recorded music and performances of dance; and the provision of facilities for making music and dancing:

#### Plays

|                     |            |               |
|---------------------|------------|---------------|
| (indoors/outdoors): | Mon – Fri: | 18.00 – 23.00 |
|                     | Sat & Sun: | 14.00 – 23.00 |

|                  |            |               |
|------------------|------------|---------------|
| Films (indoors): | Mon – Fri: | 18.00 – 23.00 |
|                  | Sat:       | 14.00 – 24.00 |
|                  | Sun:       | 18.00 – 24.00 |
|                  | May Ball:  | – 05.00       |

#### Live Music (indoors /outdoors):

|            |               |
|------------|---------------|
| Mon - Fri: | 14.00 - 23.00 |
| Sat & Sun: | 14.00 - 24.00 |
| May Ball:  | – 05.00       |

#### Recorded Music

|                     |              |               |
|---------------------|--------------|---------------|
| (indoors/outdoors): | Mon - Thurs: | 18.00 - 23.00 |
|                     | Fri:         | 18.00 – 02.00 |

Sat: 14.00 – 02.00  
Sun: 14.00 - 24.00  
May Ball: – 05.00

Performances of  
Dance

(indoors/outdoors): Mon – Fri: 18.00 – 23.00  
Sat: 14.00 – 02.00  
Sun: 14.00 – 24.00  
May Ball: – 05.00

Anything similar to  
Live/Recorded Music  
Or dance performance

(indoors/outdoors): Mon – Fri: 18.00 – 23.00  
Fri: 18.00 – 24.00  
Sat: 14.00 – 02.00  
Sun: 14.00 – 23.00

Provision of Facilities  
For making music and  
anything similar

(indoors/outdoors): Mon – Sun: 09.00 – 02.00

Provision of Facilities  
For Dancing and  
anything similar

(indoors/outdoors): Mon to Sun: 09.00 to 02.00

Late Night Refreshment (indoors and outdoors):

May Ball: 23.00 – 05.00

Hours premises open to the public

The premises are not normally open to the public.

*The variation to have effect from the 24<sup>th</sup> November 2005.*

**05/lic A/47 GREEN MAN, TRUMPINGTON**

The responsible authority had withdrawn its objection and this item was therefore removed from the Agenda as it did not need to be considered by the Sub-Committee.

**05/licA/48 SUBWAY, CAMBRIDGE LEISURE PARK**

**Present: No applicant present.**

*Licensing Officer*

The *Licensing Officer* presented the report to the Sub-committee for the application to vary the premises' licence.

*Responsible Authority*

The Environmental Protection Manager advised the Sub-committee of the potential public nuisance for the future occupants of the flats which were directly above the premises. He advised that there were no planning conditions on the premises restricting hours of operation and recommended that the premises should not be allowed to provide late night refreshment after midnight.

**Decision**

In reaching the decision on the application, the Sub-Committee considered the material presented to the Sub-Committee, the representations made by the representative of the Environmental Protection Manager, the Council's Statement of Licensing Policy and the statutory guidance under the Licensing Act 2003.

In this case, the Sub-Committee had to balance the interests of the applicants with those of the wider community. The decision was reached on its individual merits noting that the premise is beneath residential flats.

Accordingly, it was RESOLVED:

To grant the variation application in part as detailed below, subject to conditions translated from the applicant's Operating Schedule to promote the prevention of crime and disorder.

*The Sub-Committee has not granted the variation application sought by the applicants in its entirety. The Sub-Committee felt it necessary to reject parts of the application to promote the prevention of public nuisance.*

Details of variation: -

**Provision of Late Night Refreshment**

Mon – Sun: 08.00 - 24.00

Hours premises open to the public

As above

The variation to have effect from the 24<sup>th</sup> November 2005.

The meeting concluded at 14.00

CHAIR