

**LICENSING SUBCOMMITTEE
(2003 ACT)**12 February 2007
10.00am to 10.14am**Present:** Councillor Boyce (Chair), Blencowe, Dixon**07/lic/05 Apologies**

All members were present.

07/lic/06 Procedure to be Followed

The procedure for hearings of the subcommittee set out on the agenda was noted.

07/lic/07 Application for a Provisional Statement where Premises are Being Built or Altered: Land at Cherry Hinton Road/Hills Road**Declarations of Interest by Subcommittee**

Cllr Dixon – as an ex-colleague of Mr Crabtree

Cllr Dixon – attended the briefing on the original planning application

Cllr Blencowe – attended the briefing on the original planning application

Present: Ms Deborah Sharples (Counsel for applicant), Mr Roger Crabtree (interested party)**The hearing:** The Licensing Officer presented her report and outlined the application being made. The applicant had agreed to the condition at 3.2 in the report, proposed by the Environmental Protection Manager. A representation at Appendix C had been received from Development Services (Planning Department of the Council) as a responsible authority. Three representations at Appendix D had been received from interested parties: one from an individual and two from residents' associations.

Ms Sharples put the case for the applicant, referring to

- The good quality of the restaurant proposed for the 7th and 8th floors of the development.
- It wasn't possible to say where fire alarms would be positioned until the full licence was applied for.
- With regards to parking, it was anticipated that a lot of people would travel on foot or by taxi; there would be a taxi pull-in point beside the development.
- In response to consultation with residents' associations, the applicant proposed an amendment to the original hours so that sale of alcohol would end at 11.30pm and closing time would be at 00.00am. The residents' associations were happy with this amendment.

Mr Crabtree put the case for the interested parties, commenting that

- He was representing all three interested parties and could speak on their behalf
- He expressed surprise that the proposed closing time had been 01:00am as this had not been mentioned before in previous conversations with Island Homes and the rest of the complex – bar the cinema – shut at 00.00am. However he was happy with the amended times proposed by the applicant.

Councillors discussed the application in the light of the concerns raised by interested parties and the submission by the applicant and his representative.

The Decision: The Chair informed the meeting of the decision reached by the Sub Committee:-

In reaching the decision on the application, the Sub-Committee considered the material presented to the Sub-Committee orally, on behalf of the applicant and on behalf of the local residents, and in writing, including the Council's Statement of Licensing Policy, the Licensing Act 2003 and related statutory guidance and the Human Rights Act 1998.

In this case, the Sub-Committee had to balance the interests of the applicant with those of the wider community. The Sub Committee reached the decision on the individual merits of the application, bearing in mind that these premises will be sited close to residential accommodation. Accordingly, it was decided:

That the following steps would be necessary if the premises were satisfactorily completed in the way proposed in the Schedule of Works and if a premises licence were sought for the premises,

1. To grant the application, save that, the licence hours be restricted as below to promote the prevention of public nuisance:-

Sale & Supply of alcohol (on the premises)

Mon – Sun 10.00 to 23.30

Hours premises open to the public

Mon – Sun: 10.00 – 00.00

2. To impose the conditions set out in the Committee report to promote the licensing objectives.

The Chair also informed those present that all parties would receive written notification of the decision which would include details of the right of appeal against the decision.

The meeting concluded at 10.14am.