



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

LICENSING ACT 2003

NOTICE OF DETERMINATION OF LICENSING SUB-COMMITTEE HEARING

DECISION NOTICE

<u>Date of Hearing:</u>	Wednesday 13th December 2023
<u>Sub-Committee Members:</u>	Councillor Keith Horgan (Chairman) Councillor Julia Huffer Councillor Gareth Wilson
<u>Officers</u>	Hannah Walker – Trainee Democratic Services Officer Stewart Broome – Senior Licensing Officer Maggie Camp – Director (Legal Services) Angela Tyrrell – Senior Legal Assistant
<u>Applicant:</u>	Loungers UK Limited
<u>Responsible Authorities:</u>	None
<u>Other Persons:</u>	Mr Robert Botkai – Solicitor for the applicant Mr Stewart Hakewill-Watson – Chef for applicant Mr Robert Starling – Objector Mrs Lorraine Hodgkinson - Objector
<u>Application by:</u>	WS Law on behalf of Loungers UK Limited
<u>Premises Address:</u>	11 Market Place, Ely, Cambs, CB7 4NP
<u>Date of Application:</u>	Monday 16 th October 2023
<u>Details of Application:</u>	Application for a new Premises Licence under Section 17 of the Licensing Act 2003.

ORAL AND WRITTEN EVIDENCE PRESENTED TO THE HEARING

Written Evidence

The Sub-Committee members have read the material presented to them and listed below:

The Licensing Officer's Report - this included:

1. A copy of the Applicant's application form and their supporting documentation;
2. A copy of the representations submitted by the responsible authorities;
3. A copy of the representations submitted by other persons;
3. A location plan of the premises;
4. A copy of the amended conditions agreed with the Police
5. Section 182 Statutory Guidance extracts;
6. Local Statement of Licensing Policy extracts.

Oral Evidence

The Sub-Committee members heard the following oral evidence:

The Licensing Officer

The Licensing Officer presented the report, advised all parties that the applicant and Environmental Health had also now agreed conditions, presented all parties with a copy of the new agreed schedule of conditions, and then answered Member questions.

The Applicant

The applicant gave a summary of their application, and answered questions from Members and the objectors via the Chair of the Committee.

The responsible authorities

Not present

Other Persons

Mr Starling and Mrs Hodgkinson emphasised that their concerns were contained in the report, and they had nothing further to add.

The following Guidance was considered:

East Cambridgeshire District Council Statement of Licensing Policy – 7th January 2021
Revised Guidance issued under section 182 of the Licensing Act 2003 – August 2023

DECISION: Members of the Licensing Sub-Committee (in exercise of the powers delegated by East Cambridgeshire District Council as Licensing Authority) decided to:

GRANT the Premises Licence to Loungers UK Limited in accordance with para 4.4(a) of the Officer Report subject to:

- (i) the conditions that are consistent with the handout of agreed conditions provided by the officer at the committee, and
- (ii) any mandatory conditions that must be included in the licence.

REASON: In reaching this decision, Members of the Sub-Committee took into account that the responsible authorities had agreed to additional conditions that satisfied them that the licensing objectives would not be undermined. They agreed that the agreement reached between the applicant and the responsible authorities provided greater protection than the original application provided, and did not widen the scope of the original application submitted.

They also agreed that the amendment would have no adverse effect on the general public or any responsible authority as a result of those amendments being agreed.

Members noted the concerns of the residents, but felt that the amended application including the additional conditions provided a balance between the rights of them as residents and the rights of the applicant as a business, and that there were suitable safeguards in place as a result of the amended operating schedule agreed with the responsible authorities.

Members also noted the applicants undertaking to provide their contact details to those objecting, and welcomed this.

RIGHTS OF APPEAL

The Applicant or any persons who made a relevant objection have a right of appeal against this decision. Notice must be given to the Clerk to the Cambridge Magistrates' Court, The Court House, Bridge Street, Peterborough PE1 1ED within 21 days of notification of the Licensing Sub-Committee's decision. Email: cb-enquiries@hmcts.gsi.gov.uk