

Determination of an Application for a Premises Licence

In attendance:

Applicant: Mr and Mrs Anker
Old Chapel Farm, Eldernell Lane, Coates

Committee Hearing Date: 27 October 2023

Committee Chairman: Councillor David Oliver

The Licensing Sub Committee is convened today to hear an application for a new premises licence for Old Chapel Farm, Eldernell Lane, Coates.

There have been 13 representations against the grant, and 16 for the grant of the licence. These can be found in the committee papers at pages 29 and 46 respectively.

The representations relate to the following licensing objectives:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

The Committee notes that none of the statutory responsible authorities have made representations against the grant, although an agreement between the police and the applicants was made to amend the operating schedule; these amendments can be found at page 26.

We have read the committee papers and heard from:

- Legal Representative for the Applicant
- PC Hawkins
- Ms Mackintosh in support of the application
- Ryan Connor resident opposing
- Chris Boden local councillor opposing

Mr Connor helpfully supplied a written list of issues and further information to the committee which was agreed by the Applicant by virtue of the Hearing Regulations 2005.

The objections in brief to the licence being granted are:

- An increase in late night noise in the vicinity of the premises to the detriment of residents, for example shouting, music, vehicles moving.
- An increase in anti-social behaviour in the vicinity fuelled by alcohol.
- Increase in litter and other waste.

- Noise disturbance to children at night.
- Light nuisance late at night from vehicles.
- Access issues for emergency vehicles.
- Number of persons at venue.
- Adverse effect on sleep especially during term time.
- People urinating on properties.
- Some dates forwarded to when there had been anti-social behaviour.

The Legal representative for the Applicant referred the Committee to paragraphs 2.1, 9.12, 2.26, 9.42 and 9.43 of the government guidance.

The representations in support of the grant in brief are:

- Music virtually inaudible from outside due to soundproofing.
- Venue safe for children.
- Sufficient parking at venue.

The Applicant amends the original application for hours and regulated activities. The applicant now applies for:

- **Sale of alcohol on the premises**

Wednesday through to Thursday 1600hrs to 2230hrs

Friday and Saturday 1600hrs to 2300hrs

Sunday 1600hrs to 2200hrs

- **Live, Recorded Music and Dance, Indoors and anything of a similar description**

Wednesday to Thursday Midday to 2300hrs

Friday and Saturday Midday to 2330hrs

Sunday Midday to 2200hrs

The applicant states:

- CCTV installed
- Challenge 25
- Noise to be monitored
- No regulated activities outside
- Not a public house, nightclub or hotel
- A destination for weddings, and similar functions such as christenings
- No formal complaints to Environmental Health Officers
- A number of weddings and other functions have already been held at the premises; some unregulated and some under temporary event notices

In our deliberations we have been referred to:

- Fenland District Council's Statement of Licensing policy
- The Government guidance issued under section 182 of the Licensing Act 2003
- The Licensing Act 2003

Where relevant representations have been made, we can take one or more of the following steps to promote the licensing objectives:

- Grant the licence as submitted subject to the operating schedule, mandatory conditions, and any negotiated conditions.
- Add, amend, alter or delete a condition in the operating schedule.
- Refuse to grant the licence, or an activity.

We have disregarded matters that do not relate to the licensing objectives and those that fall outside of the committee's remit.

The Decision

We consider the operating schedule to be sufficient in promoting the licensing objectives, therefore we grant the licence as applied for subject to the conditions agreed with the police and the amended timings for the licensable activities proposed today by the applicant.

Any Appeal against this determination can be made to Peterborough Magistrates Court within 21 days of receipt of this notice at:
Peterborough Magistrates Court, Bridge Street, Peterborough, PE1 1ED.
Tel 0845 3100575



Chairman's Signature:

Date: 27 October 2023

