



DECISION NOTICE

Date	7 th July 2016
Applicant	Tangerine Holdings Limited
Reason for Hearing	<p>The Licensing Authority has received an application to apply for a premises licence at Mill Farm, Wesham</p> <p>There has been representations from Medlar with Wesham Town Council and residents, (other persons) and as such meant that the Sub-Committee must determine the application.</p>
Parties in Attendance	<p>Panel:</p> <p>Councillor Neil Harvey - Convenor, Councillor David Donaldson, Councillor Jan Barker.</p> <p>Applicant:</p> <p>David Chell, Chief Executive Tangerine Holdings Limited, Bevan Middleton, proposed Designated Premises Supervisor.</p> <p>Other Persons:</p> <p>Mr Richard Nulty, Mr Ian Mowbray, represented by Mr Nulty</p>

The licensing authority has received an application for the grant of a premises licence at Churchill's Banqueting Suites and Milano's Mediterranean Restaurant, Mill Farm, Fleetwood Road, Wesham.

In considering the application, the panel has to consider whether granting the licence would promote the four licensing objectives which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

Objections to the application have been received from Medlar with Wesham Town Council and 7 residents, defined as "other persons" by the Licensing Act, concerning the hours of operation, public nuisance and public safety. We have taken those written representations into account in reaching our decision.

This was the subject of the hearing this morning.

We heard from resident Mr Richard Nulty who also spoke on behalf of other residents who had made representations, and from David Chell and Bevan Middleton, representing the applicants. We thank all those who attended for their help.

We took into account the information put before us, the Council's Statement of Licensing Policy and the Guidance issued under section 182 of the Licensing Act 2003.

Mr Nulty noted that the applicants had incorporated in their application provisions suggested by the police and accordingly he no longer wished to pursue the representations based around crime and disorder. However, he did pursue his points around public safety, and public nuisance. The concerns about public nuisance centred around the potential for noise nuisance caused by the use of the outside areas in the evening. The concerns about public safety arose out of what Mr Nulty saw as inadequate or badly-located car parking provision, particularly while development of the wider site had not been completed.

On public nuisance, we were satisfied that the two sets of doors through which patrons would have to exit to get to the outside terraces would prevent any significant noise from escaping outside.

On public safety, the panel noted that car parking provision per se was not a matter that fell to be considered in a licensing application. We were not convinced that the proposed or present car parking arrangements would give rise to any real problems concerning public safety. Nor did we find anything in the application that suggested to us that it was likely that any problems would arise concerning the protection of children from harm.

Having regard to the submissions that we heard, the panel was not satisfied that the issues and problems that had been described by the interested parties would be caused or exacerbated by granting the licence as applied for. We were therefore satisfied that it would be appropriate for the promotion of the licensing objectives to grant the licence as applied for.

Our decision is therefore as follows:

To grant the application for a premises licence for Churchill's Banqueting Suites and Milano's Mediterranean Restaurant as applied for subject to the mandatory conditions and conditions that reflect the operating schedule.

That is our decision and we thank you for your assistance.