

LICENSING ACT 2003
APPLICATION TO VARY PREMISES LICENCE
Roberto Deli, Unit 1 Church Walk, St Neots, Cambridgeshire, PE19 1JH

1. INTRODUCTION

- 1.1 Huntingdonshire District Council as the Licensing Authority has received an application to vary the premises licence for, Roberto Deli, Unit 1 Church Walk, St Neots, Cambridgeshire, PE19 1JH.
- 1.2 The complete application was received on 04 July 2022. As required under the Licensing Act 2003, a notice of the application was advertised by a blue notice displayed at or near the premises from the 04 July 2022 and in the local newspaper. The 28-day consultation period ended on 02 August 2022.
- 1.3 A copy of the application, along with supporting documentation is attached as Appendix A.

2. REPORT

- 2.1 Roberto Deli have applied to vary their premises licence, a summary of the current permitted times and licensable activities are:

Licensable Activity	Current Licensable Times	Applied for
Provision of Recorded Music (Indoor & Outdoors)		Friday and Saturday 09:30 to 18:00 Sunday 11:00 to 18:00
Supply of Alcohol (Off the Premises):	Monday to Sunday 08:00 to 22:00	
Supply of Alcohol (On the Premises):		Monday to Saturday 09:00 to 20:00 Sunday 11:00 to 20:00

- 2.2 Roberto Deli are looking to vary the licence to include the sale of alcohol on the premises and the provision of recorded music.

3. REPRESENTATIONS

- 3.1 During the period for representation, there was a total of 4 representations, one objecting to the variation and 3 supporting the variation.
- 3.2 The representation objecting to the variation is attached as Appendix B, and the representations supporting the variation have been attached in their entirety as Appendix C.
- 3.2 A person who has submitted a relevant representation is entitled to address the Licensing Sub-Committee at the hearing and ask questions of any other party appearing at the hearing.

3.3 Not all matters raised within the representation may be relevant matters for consideration under the Licensing Act 2003.

4. GENERAL DUTY/POLICY CONSIDERATION

4.1 The licensing authority must carry out its functions under the Act with a view to promoting the licensing objectives, each objective has equal importance, the objectives are:

- a. the prevention of crime and disorder,
- b. public safety,
- c. the prevention of public nuisance, and
- d. the protection of children from harm.

4.2 The sub-committee must also have regard to –

- a. its statement of licensing policy, and
- b. any statutory guidance issued under Section 182 of the Licensing Act 2003.
- c. the Human Rights Act 1988

4.3 The Council must also fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in its district.

5. DETERMINATION

5.1 In making a decision, this application must be determined on its individual merits having regard to the representations and supporting documents included as part of the report along with additional information considered relevant at the hearing. As part of the decision process the sub-committee is required to give its reasons for any decision arrived at.

5.2 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- Grant the application as applied for
- Refuse the application
- Add additional conditions to the Premises Licence.
- Exclude any licensable activities applied for
- Amend times of licensable activities applied for.

5.3 Any decision made by the sub-committee must be reasonable and proportionate and promote the Licensing objectives.

BACKGROUND INFORMATION

Licensing Act 2003

Guidance issued under section 182 of the Licensing Act 2003

The Council's Statement of Licensing Policy