

**LICENSING ACT 2003
APPLICATION TO VARY A PREMISES LICENCE
No 6 Bistro & Cocktail Bar, 6 New Street, St. Neots, PE19 1AE**

1. INTRODUCTION

1.1 Huntingdonshire District Council as the Licensing Authority has received an application for a new premises Licence:

from **Mr Murat Gaygusuz on behalf of No 6 Bistro & Cocktail Bar**

for the premises **No 6 Bistro & Cocktail Bar, 6 New Street, St. Neots, PE19 1AE**

1.2 The Application was received on the 18th August 2023. As required under the Licensing Act 2003, notice of the application was advertised by blue notices displayed at or near the premises from the 19th August 2023. The 28-day consultation period ended on 14th September 2023.

1.3 A copy of the application, is attached as **Appendix A** (application) & **Appendix B** (site plans).

1.4 A copy of the existing licence is attached as **Appendix C**.

2. INFORMATION

2.1 The Premises Licence variation application is applying for the following activities:

a. **Supply of alcohol for consumption ON the premises**

Variation Applied For	Currently Permitted
Friday to Saturday – 0800hrs to 0300hrs	Monday to Thursday 0800hrs to 0000hrs Friday & Saturday 0800hrs to 0100hrs Sunday 0800hrs to 2300hrs

b. **Provision of Live Music**

Variation Applied For	Currently Permitted
Monday to Thursday – 1200hrs to 0000hrs Friday & Saturday – 1200hrs to 0300hrs	Monday to Sunday 1200hrs to 2300hrs

c. **Provision of Recorded Music**

Variation Applied For	Currently Permitted
Friday & Saturday – 0900hrs to 0300hrs	Monday to Thursday 0900hrs to 0000hrs Friday & Saturday 0900hrs to 0100hrs Sunday 0900hrs to 2300hrs

d. **Provision of Late Night Refreshment**

Variation Applied For	Currently Permitted
Friday & Saturday – 2300hrs to 0300hrs	Monday to Thursday 2300hrs to 0000hrs Friday & Saturday 2300hrs to 0100hrs Sunday 2300hrs to 0000hrs

e. **Hours premises are open to the public**

Variation Applied For	Currently Permitted
Monday to Thursday As currently permitted	Monday to Thursday 0800hrs to 0000hrs
Friday & Saturday – 0800hrs to 0300hrs	Friday & Saturday 0800hrs to 0100hrs
Sunday As currently permitted	Sunday 0800hrs to 2300hrs

f. **Seasonal Variations**

Variation Applied For	Currently Permitted
All of the above activities to be permitted until 0300hrs on New Year's Day	The premise may be open and alcohol may be supplied on New Year's Eve until 0200hrs

2.2 Section 'M' of the application form addresses the four licensing objectives. Any proposals made in this section are normally translated directly into enforceable conditions that will be attached to the premises licence. Paragraphs 8.41- 8.49 and Section 10 of the Home Office guidance issued under section 182 refer to the operating schedule and licence conditions

3. REPRESENTATIONS

3.1 As part of the consultation the Responsible Authorities as determined under the Licensing Act 2003) were consulted on the application. Their responses can be seen in summary at **Appendix D**. As per Appendix D, there were conditions agreed with the Police and applicant during the consultation period.

3.2 During the period for representation a total of 5 valid representations have been received from 'other persons'. Full details of these representations have been attached as **Appendix E**.

3.3 During the period for representation a total of 16 emails commenting on the application were received. These can be found as **Appendix F**.

3.4 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.

3.5 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 dates and 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.