

**LICENSING ACT 2003  
APPLICATION FOR A NEW PREMISES LICENCE  
CINEWORLD CINEMA, ROWLEY ARTS CENTRE, HUNTINGDON STREET, ST  
NEOTS**

**(Report by Head of Legal and Democratic Services)**

**1. INTRODUCTION**

1.1 To consider and determine this application for a new premises licence for Cineworld Cinema, Rowley Arts Centre, Huntingdon Street, St Neots, PE19 1BL, taking into account the policy considerations detailed in paragraph 2 of the report and the representation detailed in paragraph 5.

1.2 Gosschalks Solicitors acting for Cineworld Cinemas Limited, is seeking a new premises licence for Cineworld Cinema, St Neots to permit:

Provision of Plays, Films, Live Music, Recorded Music, Performances of Dance, Provision of anything similar to Live Music, Recorded Music or Dance, (indoors)

Mon - Sun 09:00 to 03:00

Seasonal variation:

An additional hour in the morning that British Summertime begins.

Late night refreshment (indoors)

Mon - Sun 23:00 to 03:00

Seasonal variation:

An additional hour in the morning that British Summertime begins.

Supply of alcohol (both on and off premises)

Mon - Sun 09:00 to 03:00

Seasonal variation:

An additional hour in the morning that British Summertime begins.

Hours premises are open to the public

Mon - Sun 09:00 to 03:30

Seasonal variation:

An additional hour in the morning that British Summertime begins.

1.3 A copy of the application and plan are attached to the summary of the application.

1.4 Following discussions with Cambridgeshire Constabulary, the applicant has requested that the application be amended as follows:

i) To reduce the hours for all licensable activities and opening to:

Mon - Sun 09:00 to 00:30

Seasonal Variation:

On eight occasion per annum, in the case of two screens only 09:00 to 02:30 on a Friday and Saturday and on the Sunday preceding a Bank Holiday Monday.

## **2. GENERAL DUTY/ POLICY CONSIDERATIONS**

- 2.1 The Sub-Committee's is reminded that the licensing authority must carry out its functions under the Act with a view to promoting the licensing objectives which 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.
- 2.2 The licensing authority 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.

## **3. BACKGROUND**

- 3.1 The application describes the premises as a purpose built cinema. The premises contains a foyer and six auditoriums with capacities ranging from 55 to 253 seats. Screen three has a stage behind the screen. The cinema is situated within a new development. There is no history of grant of a premises licence under the Licensing Act 2003.

## **4. LICENSING OBJECTIVES ADDRESSED BY THE APPLICANT**

- 4.1 The operating schedule submitted by the applicant in Section 18 of the application addresses the four licensing objectives. Paragraphs 8.33-8.41 and Section 10 of the government guidance refer to the operating schedule and licence conditions. The applicant has proposed a number of measures in support of the licensing objectives. These include CCTV, Challenge 21 and that alcohol consumption in the auditoria will only be permitted from plastic drinking vessels. These proposals will be translated directly into conditions that will be attached to the premises licence. They should be appropriate, proportionate and justifiable in meeting the licensing objectives, be readily understood and enforceable.
- 4.2 Mediation between the applicant and Cambridgeshire Constabulary has taken place resulting in agreement that the following condition shall also be attached to the licence, if granted:

On the occasions that the two screens are to operate until 02:30 on a Friday/Saturday/Sunday evening preceding a Bank Holiday Monday, 14 days written notice shall be given to the Licensing Authority and Police.

## **5. REPRESENTATIONS**

- 5.1 During the period for the receipt of representations, no representations were received from the Responsible Authorities. Six valid representations were received by the licensing authority from 'other persons'. The representations have been attached in their entirety. Not all matters raised within the

representation may be relevant matters for consideration under the Licensing Act 2003.

- 5.2 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.

## **6. ACTION BY THE LICENSING AUTHORITY**

- 6.1 The Licensing Authority has a duty under the Licensing Act 2003 by promoting the Licensing Objectives. Each objective has equal importance. In carrying out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, any Statutory Guidance under the Licensing Act 2003 and is bound by the Human Rights Act 1988. 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.

## **7. OPTIONS**

- 7.1 Having regard to the representations and supporting documentation contained and attached to this report and any other information presented at the hearing, the Licensing Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are to grant the licence subject to conditions, modified as necessary, to exclude a licensable activity, or to reject the application. Conditions are modified if they are altered, omitted or any new condition added (Licensing Act 2003 section 18(4) & (5)).

## **8. RECOMMENDATION**

- 8.1 That Members determine the application on its individual merits.

## **BACKGROUND INFORMATION**

Licensing Act 2003.

Guidance issued under section 182 of the Licensing Act 2003.

The Council's Statement of Licensing Policy.

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