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Cambridge City Council

LICENSING COMMITTEE

To: Councillors Rosenstiel, Saunders and Stuart

Despatched: Friday, 7 January 2011

Date: Monday, 17 January 2011

Time: 9.30 am

Venue: Committee Room 1 & 2 - Guildhall

Contact: Martin Whelan

Direct Dial: 01223 457012

AGENDA

- 1 TO APPOINT A CHAIR FOR THE MEETING
- 2 DECLARATIONS OF INTEREST
- 3 LICENSING SUB-COMMITTEE PROCEDURE
- 4 APPLICATION TO VARY PREMISES LICENCE: THE BUN SHOP, 1 KING STREET, CAMBRIDGE (*Pages 1 - 38*)
- 5 APPLICATION FOR A NEW PREMISES LICENCE: CYPRUS KEBAB HOUSE, CHERRY HINTON ROAD, CAMBRIDGE (*Pages 39 - 80*)
- 6 APPLICATION FOR A NEW PREMISES LICENCE: GREENE ROOM, 42 HOBSON STREET, CAMBRIDGE (*Pages 81 - 116*)

Information for the public

Public attendance

You are welcome to attend this meeting as an observer, although it will be necessary to ask you to leave the room during the discussion of matters which are described as confidential.

Public Speaking

You can ask questions on an issue included on either agenda above, or on an issue which is within this committee's powers. Questions can only be asked during the slot on the agenda for this at the beginning of the meeting, not later on when an issue is under discussion by the committee.

If you wish to ask a question related to an agenda item contact the committee officer (listed above under 'contact') **before the meeting starts**. If you wish to ask a question on a matter not included on this agenda, please contact the committee officer by 10.00am the working day before the meeting. Further details concerning the right to speak at committee can be obtained from the committee section.

Fire Alarm

In the event of the fire alarm sounding (which is a continuous ringing sound), you should pick up your possessions and leave the building by the route you came in. Once clear of the building, you should assemble on the pavement opposite the main entrance to the Guildhall and await further instructions. If your escape route or the assembly area is unsafe, you will be directed to safe areas by a member of Cambridge City Council staff.

CAMBRIDGE CITY COUNCIL

REPORT OF: The Licensing Manager

TO: Licensing Sub-Committee

17th January 2011

APPLICATION: Application to vary Premises licence:
The Bun Shop, 1 King Street, Cambridge

WARD: Market

1 INTRODUCTION

1.1 To consider and determine this application to vary the premises licence for the Bun Shop, taking into account the representation of the interested party detailed in paragraph 5 and the policy considerations detailed in paragraph 6 of the report.

1.2 TLT, solicitors acting for Punch Taverns plc, are seeking to vary the existing premises licence for the Bun Shop as follows:

To vary the layout and design of the premises in accordance with the submitted plan.

The variation is to be of no effect until the work has been completed.

1.3 A copy of the relevant application, plan and existing licence is attached at Appendix A. Locations of fire safety and other safety equipment will be subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

1.4 The Sub-Committee's decision must be made with a view to promoting one or more of the four licensing objectives, namely:

- (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 BACKGROUND

2.1 The Bun Shop is situated in King Street and has been operating as a public house for many years. There are no planning restrictions on use or hours of opening. King Street is within a cumulative impact area.

2.2 The existing premises licence was converted from a Justices' on licence with a variation request to extend the hours and include regulated entertainment and late night refreshment. It was granted following a hearing in August 2005, having received representations from seven residents and has since undergone a

number of changes of Designated Premises Supervisor (DPS). A request has now been submitted to vary the layout and design of the premises. No changes are proposed to the licensable activities or operating times.

- 2.3 King Street is situated within a cumulative impact area and is therefore subject to a special policy on cumulative impact. The special policy creates a rebuttable presumption that applications within cumulative impact areas for new premises licences will normally be refused if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced. Applicants will need to address the special policy issues in their operating schedule in order to rebut such a presumption. The special policy is set out in section 5 of the Council's Statement of Licensing Policy.

3. LICENSING OBJECTIVES ADDRESSED BY APPLICANT

- 3.1 The Operating Schedule submitted by the applicant in part P of the application addresses the four licensing objectives. Paragraphs 8.41-8.45 and Section 10 of the Government Guidance refer to the operating schedule and licence conditions. Proposals will very often translate directly into conditions that will be attached to the premises licence. They should be realistic and within the control of the applicant/management responsible for running the premises. The steps proposed in support of the licensing objectives are the same as those on the existing licence. Cumulative impact is not referred to.

4. REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES

- 4.1 No representations have been received from Cambridgeshire Constabulary, Cambridgeshire Fire & Rescue, the Environmental Health Managers, Planning, Child Protection and Trading Standards, the Responsible Authorities.

5. REPRESENTATIONS FROM INTERESTED PARTIES

- 5.1 One representation attached at Appendix B has been received from an 'interested party' defined as: a person living in that vicinity; a person involved in the business in that vicinity; a body representing persons living in, or involved in such a business, or a member of the relevant licensing authority. The representation has been attached in its entirety. Not all matters raised within the representation may be relevant matters for consideration under the Licensing Act 2003.

6 POLICY CONSIDERATIONS

- 6.1 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy and any statutory guidance issued under Section 182 of the Licensing Act 2003.
- 6.2 **The Council's Statement of Licensing Policy:** the following sections/paragraphs are applicable to this application:
- Objectives, section 2
 - Fundamental principles, section 4
 - Cumulative impact, Section 5
 - Licence Conditions, section 8

6.3 The Statutory Guidance: the following sections/paragraphs are applicable to this application:

Sections 2.32 – 2.40 of the guidance cover public nuisance. Section 2.32 considers it important that that licensing authorities focus on impacts of the licensable activities at the premises on persons living and working in the vicinity that are disproportionate and unreasonable.

Section 8.5 - 8.15 covers interested parties.

Section 9 covers the determination of applications, with sections 9.3 – 9.13 giving guidance to cover situations where representations have been made. Sections 9.4 –9.6 address the issues of relevance and vicinity. Section 9.12 recommends that in borderline cases the benefit of doubt should be given to the interested party making the representation. The subsequent hearing would provide an opportunity for the person to amplify and clarify it. If it then emerged that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.

Section 10.15 – 10.18 covers duplication and other statutory provisions. The Guidance states that the Licensing Act 2003 does not affect the continued use of the powers of an environmental health officer in respect of statutory noise nuisance under the Environmental Protection Act 1990. However these general duties will not always adequately cover specific issues arising in connection with, for example, certain types of entertainment. It is only where additional and supplementary measures are necessary to promote the licensing objectives that necessary, proportionate conditions will need to be attached to a licence. If existing law places responsibilities on the employer/operator of the premises, then it cannot be necessary to impose the same or similar duties on the premises licence.

Sections 13.24 -13.39 cover cumulative impact. Section 13.29 sets out the effects of adopting a cumulative impact policy. There is a rebuttable presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact, will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Annex D covers conditions relating to the prevention of public nuisance. The Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005 provide some protection to the general public from the effects of noise nuisance. The police can close premises that are causing nuisance resulting from noise emanating from the premises. The Secretary of States guidance states that these matters should be considered before deciding whether or not conditions are necessary for the prevention of public nuisance.

6.4 Members should only impose conditions, which are proportionate and are necessary to promote the licensing objectives (10.11). Conditions which are imprecise or difficult to observe should be avoided (10.4).

7. CONCLUSIONS

- 7.1 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 1998. The Council must also fulfill 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 Cambridge.

8. OPTIONS

- 8.1 Members should, having regard to the representations, take such steps as they consider are necessary for the promotion of the licensing objectives. The steps are to modify the conditions of the licence or to reject the whole or part of the application. Conditions are modified if they are altered, omitted or any new condition added. (Licensing Act 2003 section 35(4)).
- 8.2 Members should consider Section 13.29 of the Guidance and Section 5 of Cambridge City Council's Statement of Licensing Policy relating to cumulative impact. Licences will normally be refused, following relevant representation, unless the applicant can demonstrate in the operating schedule (see section 3 above) that there will be no negative cumulative impact on one or more of the licensing objectives.

9 RECOMMENDATION

- 9.1 That members' determine the application on its individual merits.

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

Guidance issued under section 182 of the Licensing Act 2003

The Council's Statement of Licensing Policy

To inspect these documents contact Christine Allison on ext. 7879.

The author and contact officer for queries on the report is Christine Allison, on extension 7879.

Report file: M:\EVERYONE\LICENCE\LICACT2003COMMITTEEMTG\LC11-1701 Bun Shop

Date originated: 31st December 2010

Date of last revision: 31st December 2010

One Redcliff Street
Bristol BS1 6TP
T +44 (0)117 917 7777
DX 7815 Bristol

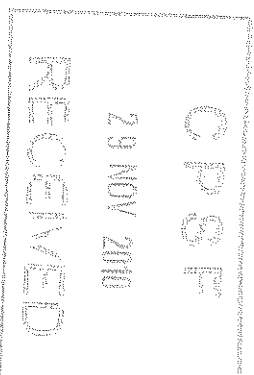
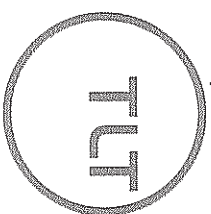
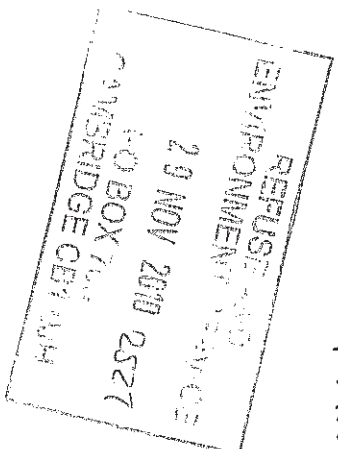
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Your ref

Special Delivery

Cambridge City Council
Environmental Services
PO Box 700
CAMBRIDGE
CB1 0JH
For the attention of: Licensing Section

APRWDIX A



Direct tel 0117 917 7612 Date 26 November 2010
Direct fax 0117 917 7566 Email barry.richards@tltsolicitors.com

Dear Sirs

**Licensing Act 2003: to vary the Premises Licence
Bun Shop 1 King Street Cambridge CB1 1LH**

We act on behalf of the Applicant for an application to vary the Premises Licence in relation to the above Outlet.

We enclose:

- Application Form to vary the Premises Licence with related documentation; and
- The appropriate fee.

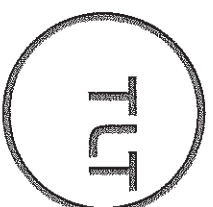
We confirm that copies of the application, and its enclosures, have been sent to:

Police
Fire Officer
Environmental Health Office
Trading Standards
Health and Safety
Planning Authority
Child Protection Agency

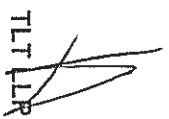
A copy of the newspaper in which the advertisement appears, and confirmation of display of advertisement on site, will follow separately.

Kindly acknowledge receipt confirming the date of receipt. Should you wish to discuss the enclosed application then please contact the writer.

We look forward to hearing from you.



Yours faithfully


TLT LLR

enc Application form
 Variation fee
 Plan

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We Punch Taverns Plc
(insert name(s) of applicant)
being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
PRECAM000041

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description
Bun Shop
1 King Street

Post town	Cambridge	Post code	CB1 1LH
-----------	-----------	-----------	---------

Telephone number at premises (if any)

Non-domestic rateable value of premises £42000

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Jubilee House Second Avenue		
Post Town	Burton Upon Trent	Postcode	DE14 2WF

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
This is an application to vary the layout and design of the premises in accordance with the submitted plan.

The operating times and licensable activities authorised by the Premises Licence to remain unaltered.

Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)	Day	Start	Finish	Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 3)		
Tue						
Wed				<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur				<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri						
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Tue					
Wed			<p><u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)</p>		
Thur			<p><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			<p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)	Day	Start	Finish	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	Outdoors	Both	
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Mon			Please give further details here (please read guidance note 3)				
	Tue							
	Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
	Thur							
	Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)				
	Sat							
	Sun							

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tue					
Wed			<p><u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)</p>		
Thur			<p><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)</u></p>		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

Will the playing of recorded music take place indoors or outdoors or both – please tick
(please read guidance note 2)

Indoors	<input type="checkbox"/>
Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>

Please give further details here (please read guidance note 3)

State any seasonal variations for the playing of recorded music
(please read guidance note 4)

Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
Mon			<input type="checkbox"/>	<input type="checkbox"/>
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
<p>State any seasonal variations for the performance of dance (please read guidance note 4)</p>				
<p>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)</p>				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		
			Indoors	<input type="checkbox"/>	
			Outdoors	<input type="checkbox"/>	
			Both	<input type="checkbox"/>	
Tue			Please give further details here (please read guidance note 3)		
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
				Outdoors	
Mon			Please give further details here (please read guidance note 3)	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
Wed			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
Thur				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
Fri				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
Sat				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
Sun				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>

J

Provision of facilities for dancing			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)		
Standard days and timings (please read guidance note 6)	Indoors	Outdoors	Both		
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)				Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	Outdoors	Both
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mon						
Tue			Please give further details here (please read guidance note 3)			
Wed						
Thur						
Fri			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)			
Sat						
Sun			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Please give further details here (please read guidance note 3)		
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
As per existing licence.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) To remain unchanged.
Day	Start	Finish	
Mon			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</u>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
None.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

As per granted conditions.

Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed.

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time

b) The prevention of crime and disorder

--

c) Public safety

--

d) The prevention of public nuisance

--

e) The protection of children from harm

--

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	<i>John Russell TS</i>
Date	24/11/10
Capacity	Solicitor to Applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Barry Richards
TLT Solicitors
One Redcliff Street

Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	0117 917 7612		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) barry.richards@tltsolicitors.com			

Notes for Guidance

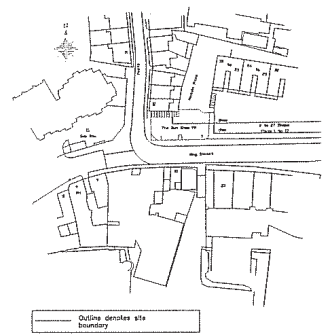
This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

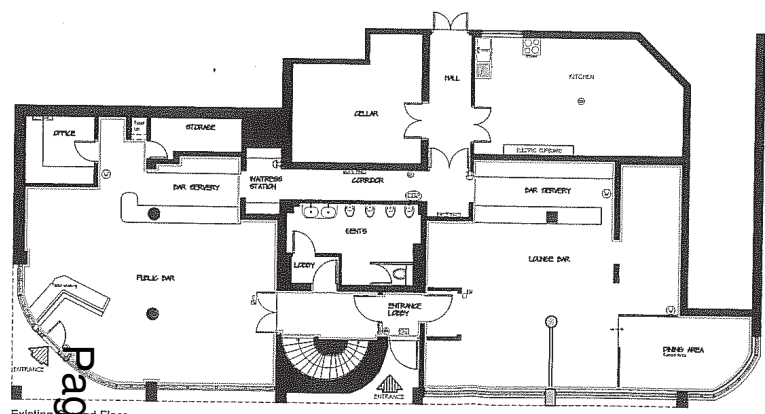
PLAN SUBMITTED WITH VARIATION

contractors are to check all levels before work is put in hand, and any variation be referred to the architects

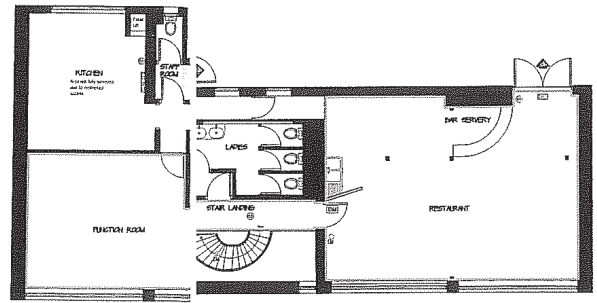
REV	DATE	DESCRIPTION	BY	CHKD



Site location plan
1:1250



Existing Second Floor



EXISTING FIRST FLOOR

Nothing shown on this plan, which is not marked on the Building Information Model, shall be taken as part of the scope

THE SCHEDULE

- ROOM SCHEDULE
- SPECIAL LIGHT FIXTURE
- SPECIAL BENCH SEATING
- SPECIAL PLANT SELECTION
- SEATING
- BAR/STOVE
- CLEANING USE ONLY
- CLEANING USE ONLY

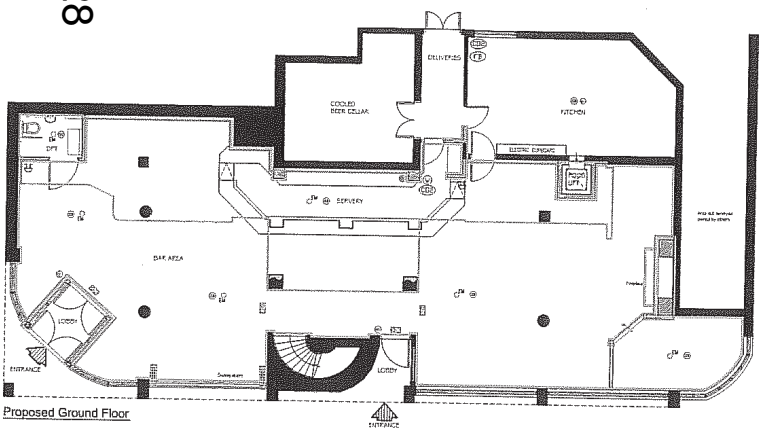
THE ABOVE ROOMS TO BE BUILT AS PER THE BUILDING INFORMATION MODEL (BIM) AND AS SHOWN ON THE EXISTING FLOOR PLANS. DIMENSIONS ARE TO FACE UNLESS STATED OTHERWISE.

- 4.0m wide substructure to 0.5 PAZ
- 4.0m wide substructure to 0.5 PAZ
- 4.0m wide substructure to 0.5 PAZ
- The bar

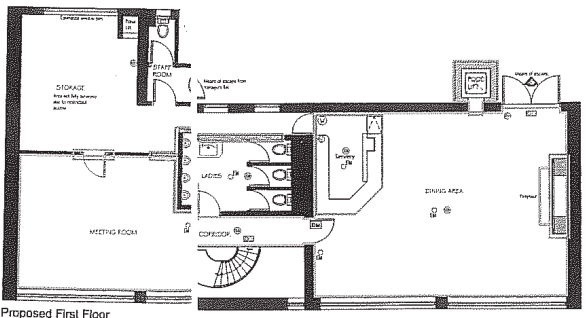
EXISTING ESTIMATED LICENSABLE AREA

GROUND FLOOR	FIRST FLOOR
121 SQ.M	84 SQ.M
1302 SQ.FT	904 SQ.FT

Outline denotes licensable area



Proposed Ground Floor



Proposed First Floor

PROPOSED ESTIMATED LICENSABLE AREA

GROUND FLOOR	FIRST FLOOR
149 SQ.M	81 SQ.M
1603 SQ.FT	871 SQ.FT

Outline denotes licensable area

Outline denotes proposed alterations/new work



Architects • Interior Designers Limited
 GREAT BURSTEAD SCHOOL HOUSE, 70 LANDON ROAD,
 BULLINGDAY, ESSEX, CM12 5LD
 TEL: 01277 632306 FAX: 01277 632307 E-MAIL: admin@lap-architects.co.uk
 www.lap-architects.com

project
 The Bun Shop
 1, King Street,
 Cambridge, CB1 1LH

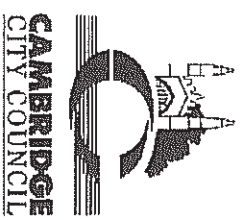
client
 Punch Taverns

drawing title
 Licencing Plans

drawing number	revision
7327 / 05	
scale 1:100 @A1	checked
drawn MRJ	date Sept 10

Page 28

Part A
Licensing Act 2003
Format of premises licence
CAMBRIDGE CITY COUNCIL



Premises licence number

PRECAM 000041

Part 1 – Premises details

Postal address of premises, or if none, Ordnance Survey map reference or description The Bun Shop 1 King Street	
Post town Cambridge	Post code CB1 1LH
Telephone number 01223 366866	

Where the licence is time limited the dates
N/A

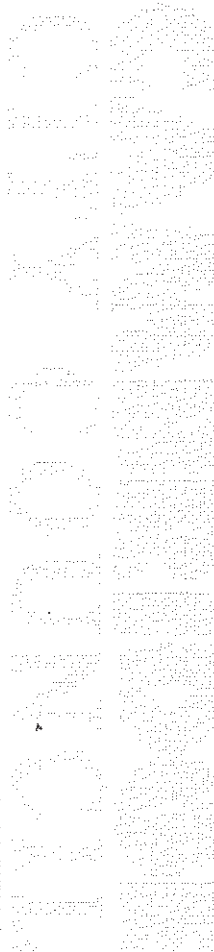
Licenable activities authorised by the licence
Live Music, Recorded Music, Late Night Refreshment, Supply of Alcohol

The times the licence authorises the carrying out of licensable activities	Live Music - Indoors
Activity	Times
Day	Times
Sun	10:00 23:00
Mon	10:00 23:00
Tue	10:00 23:00
Wed	10:00 23:00
Thurs	10:00 23:00
Fri	10:00 23:00
Sat	10:00 23:00
Non Std Timings & Seasonal Variations	
Activity	Recorded Music - Indoors
Day	Times
Sun	10:00 23:00
Mon	10:00 23:00
Tue	10:00 23:00
Wed	10:00 23:00
Thurs	10:00 23:00
Fri	10:00 23:00
Sat	10:00 23:00
Non Std Timings & Seasonal Variations	
Activity	Late Night Refreshment - Indoors
Day	Times
Sun	23:00 23:30
Mon	23:00 23:30
Tue	23:00 23:30
Wed	23:00 23:30
Thurs	23:00 23:30
Fri	23:00 00:00
Sat	23:00 00:00

Non Std Timings & Seasonal Variations	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Activity	Supply of Alcohol
Day	Times
Sun	11:00 23:30
Mon	10:00 23:30
Tue	10:00 23:30
Wed	10:00 23:30
Thurs	10:00 23:30
Fri	10:00 00:00
Sat	10:00 00:00
Non Std Timings & Seasonal Variations	On Good Friday, 12:00 to 23:30. On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The opening hours of the premises	
Day	Times
Sun	11:00 00:00
Mon	10:00 00:00
Tue	10:00 00:00
Wed	10:00 00:00
Thurs	10:00 00:00
Fri	10:00 00:30
Sat	10:00 00:30
Non Std Timings & Seasonal Variations	On Good Friday, 12:00 to 23:30. On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
On and off the premises



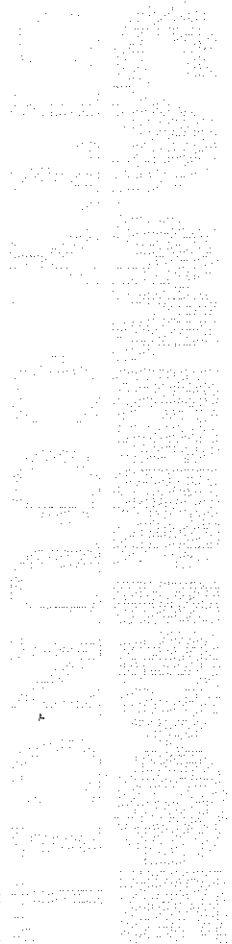
Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence
Punch Taverns PLC
Jubilee House
Second Avenue
Burton upon Trent
Staffordshire
DE14 2WF
01283 501600

Registered number of holders, for example company number, charity number (where applicable)
03752645

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol
Gordon Williams
7 Millfields Cottages
Oxford
Suffolk
IP12 2AA

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol
SCDCPERS949
Suffolk Coastal District Council



Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. Door Supervisors must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

From 6th April 2010:

4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

From 1st October 2010:

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the operating schedule

1. Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:
- a. On Mondays to Thursdays, other than Christmas Day or New Year's Eve, 10:00 to 23:30.
 - b. On Fridays and Saturdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 00:00.
 - c. On Sundays, other than Christmas Day or New Year's Eve, 11:00 to 23:30.
 - d. On Good Friday, 12:00 to 22:30.
 - e. On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30.
 - f. On New Year's Eve, except on a Sunday, 10:00 to 23:00.
 - g. On New Year's Eve on a Sunday, 12:00 to 22:30.
 - h. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Alcohol may be sold, supplied, consumed the premises for one hour following the hours set out above and on Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;

(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

(h) the taking of alcohol from the premises by a person residing there; or

(i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

2. This licence is granted on the condition that any other restrictions contained within the enactments specified under the Licensing Act 2003 (Schedule 8 (6)) are adhered to.

General

3. The licensee reserves the right to move fire appliances, AWP machines, cigarette machines and any other similar objects temporarily in a fixed location in a way that does not impact upon the ability of individuals on the premises to use exits or escape routes without impediment.

The prevention of crime and disorder

4. Door supervisors will be used or employed at times when a licensable activity is taking place and it is considered necessary to:

- prevent the admission and ensure the departure from the premises of drunk and disorderly persons, without causing further disorder;
- keep out excluded individuals (subject to court or pub watch bans);
- search and exclude persons suspected of carrying illegal drugs or offensive weapons; or
- maintain an orderly queue outside the venue.

5. Lighting must be provided outside the premises during the hours of darkness when any licensable activity takes place on the premises.

Public Safety

6. Maintained illuminated fire exit notices must be displayed above each final exit door and at any change of direction. They must be illuminated at all time when the premises are in use.

7. Emergency lighting must not be altered without the prior notification to the Licensing Authority.

8. At least one trained first aider will be on duty when the public are present.

9. A fire alarm should be installed and maintained in working order.

The prevention of public nuisance

10. Background music only to be played after 23.00.

11. During entertainment windows and doors are to remain closed.

12. The licence holder shall effect and maintain in a prominent position at every exit a clear and conspicuous notice, requesting patrons to respect the needs of local residents and to leave the premises without causing noise, nuisance or disturbance to the local residents. Staff will steward exits from the premises at closing times to remind departing patrons.

The protection of children from harm

13. No unaccompanied person under the age of 18 will be permitted into the premises.

14. No children after 21:30.

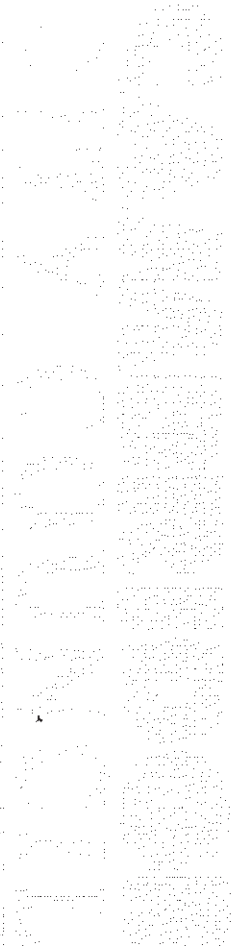
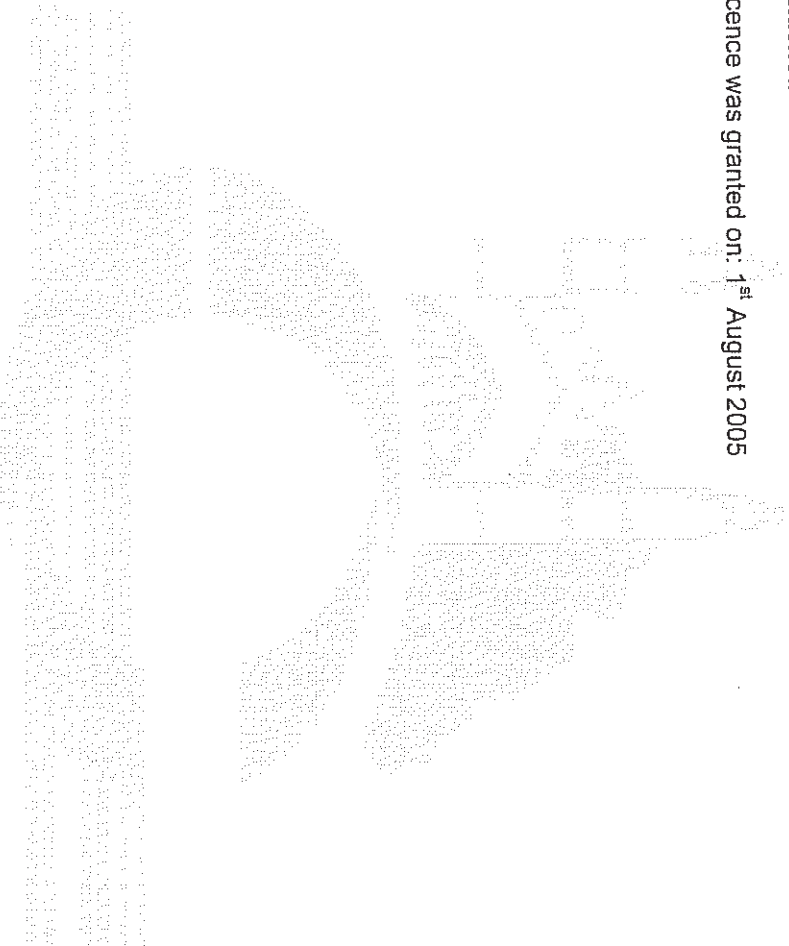
Annex 3 - Conditions attached after a hearing by the licensing authority

15. The external terrace on the first floor shall not be used after 23:20 on any day.

Annex 4 - Plans

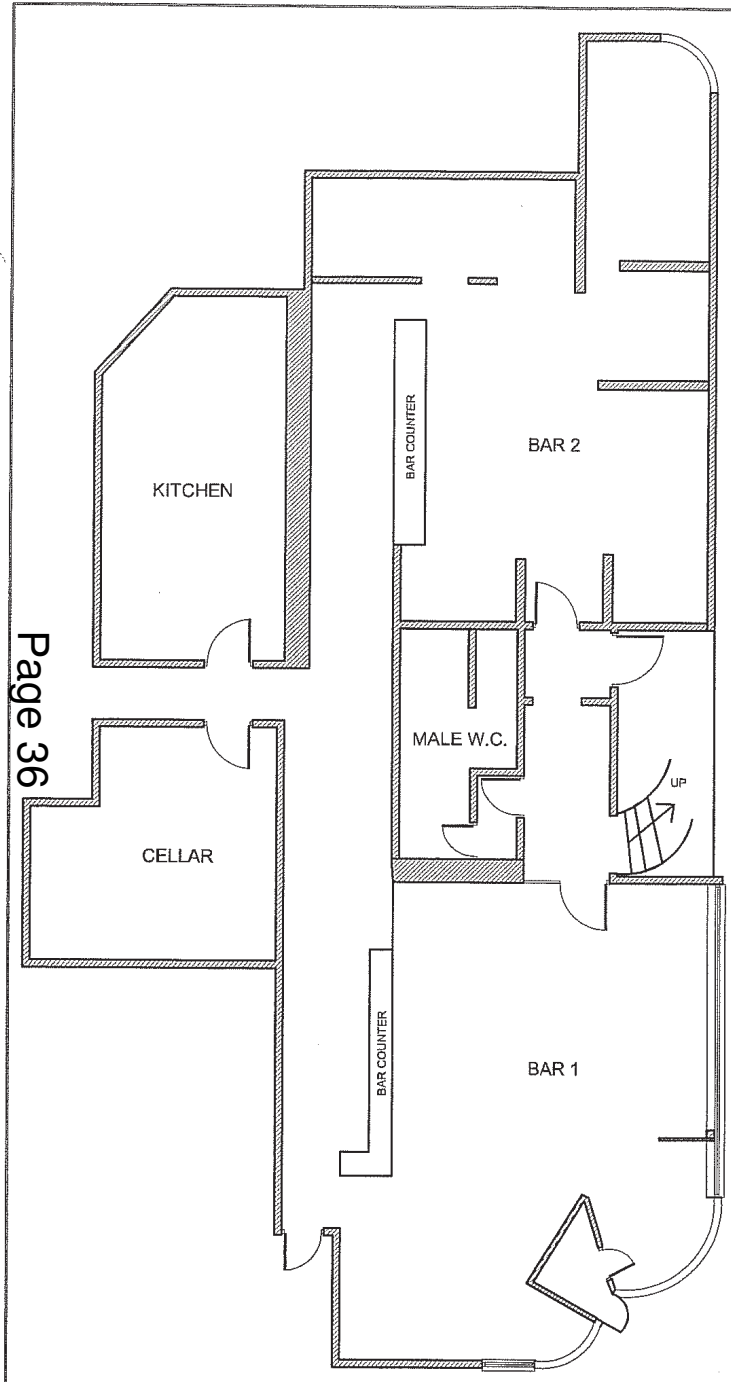
See attached

This licence was granted on: 1st August 2005

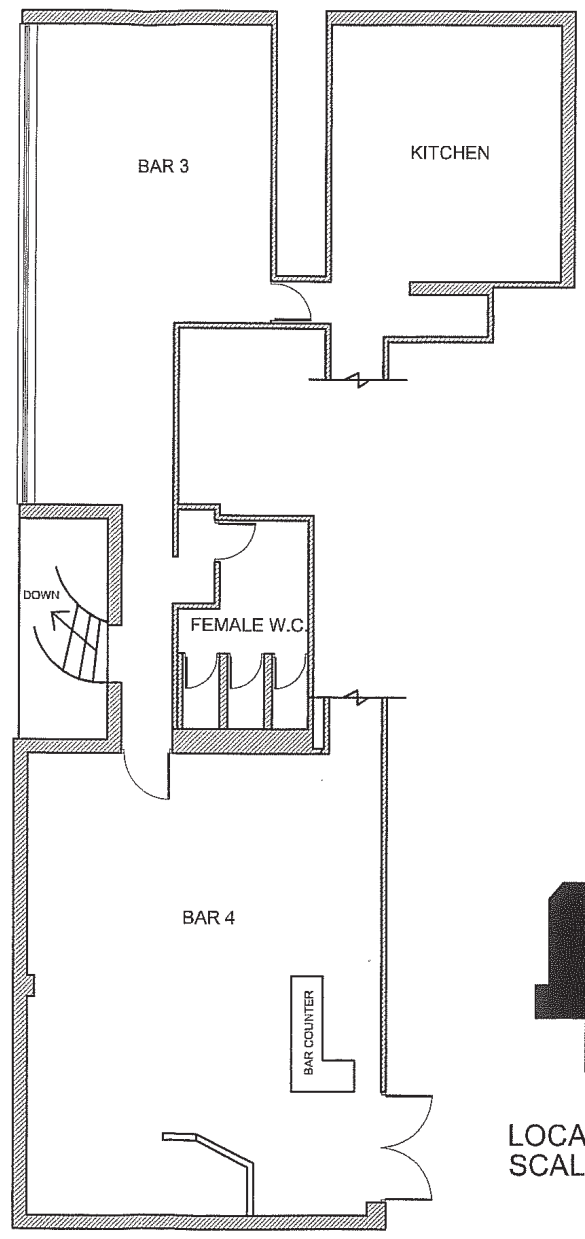


PLAN WITH
EXISTING LICENSE

Page 36



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN

- KEY**
- SMOKE DETECTOR
 - ILLUMINATED 'EXIT' SIGN WITH DIRECTIONAL ARROW
 - CIG CIGARETTE VENDING MACHINE
 - AWP FRUIT MACHINE

REV	DATE	DETAILS	DRAWN



ROMANS

Surveyors

4 KING STREET LANE, WINNERSH, BERKSHIRE, RG41 5AB.
TELEPHONE: 0118 936 6699

35 THE AVENUE, SOUTHAMPTON, HAMPSHIRE, SO17 1XN.
TELEPHONE: 02380 820110

84 HEATH ROAD, TWICKENHAM, MIDDLESEX, TW1 4BW.
TELEPHONE: 0208 388 0330

E-MAIL: ROMANS@ROMANS.CO.UK
WWW. ROMANS.CO.UK

ON BEHALF OF

Punch Taverns

PROJECT TITLE
Bun Shop, Kings Street, Cambridge. CB1 1LH

DRAWING TITLE
Existing Floor Plans

SCALE	1:100
DATE	8th November 2004
DRAWN	CN
CHECKED	SL
DWG NO.	200332
REV	001

ROMANS SURVEYORS ARE PART OF THE ROMANS GROUP INCORPORATING:

COMMERCIAL LAND & NEW HOMES LETTINGS	SURVEYORS RESIDENTIAL	ARCHITECTURAL FLOWER IFA RELOCATIONS
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The **ROMANS** Group

OUTLET NO. 200332

REGISTERED BY THE BUILDING REGULATION AUTHORITY

ISO 9001



Part B
Licensing Act 2003
Premises licence summary

Premises licence number

PRECAMI 000041

Premises details

Postal address of premises, or if none, Ordnance Survey map reference or description The Bun Shop 1 King Street	
Post town Cambridge	Post code CB1 1LH
Telephone number 01223 366866	

Where the licence is time limited the dates
N/A

Licence activities authorised by the licence
Live Music, Recorded Music, Late Night Refreshment, Supply of Alcohol

The times the licence authorises the carrying out of licensable activities	
Activity	Live Music - Indoors
Day	Times
Sun	10:00 23:00
Mon	10:00 23:00
Tue	10:00 23:00
Wed	10:00 23:00
Thurs	10:00 23:00
Fri	10:00 23:00
Sat	10:00 23:00
Non Std Timings & Seasonal Variations	
Activity	Recorded Music - Indoors
Day	Times
Sun	10:00 23:00
Mon	10:00 23:00
Tue	10:00 23:00
Wed	10:00 23:00
Thurs	10:00 23:00
Fri	10:00 23:00
Sat	10:00 23:00
Non Std Timings & Seasonal Variations	
Activity	Late Night Refreshment - Indoors
Day	Times
Sun	23:00 23:30
Mon	23:00 23:30
Tue	23:00 23:30
Wed	23:00 23:30
Thurs	23:00 23:30
Fri	23:00 00:00
Sat	23:00 00:00

Non Std Timings & Seasonal Variations	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Activity	Supply of Alcohol
Day	Times
Sun	11:00 23:30
Mon	10:00 23:30
Tue	10:00 23:30
Wed	10:00 23:30
Thurs	10:00 23:30
Fri	10:00 00:00
Sat	10:00 00:00
Non Std Timings & Seasonal Variations	On Good Friday, 12:00 to 23:30. On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The opening hours of the premises	
Day	Times
Sun	11:00 00:00
Mon	10:00 00:00
Tue	10:00 00:00
Wed	10:00 00:00
Thurs	10:00 00:00
Fri	10:00 00:30
Sat	10:00 00:30
Non Std Timings & Seasonal Variations	On Good Friday, 12:00 to 23:30. On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
On and off the premises

Name, (registered) address of holder of premises licence
Punch Taverns PLC
Jubilee House
Second Avenue
Burton upon Trent
Staffordshire
DE14 2WF

Registered number of holder, for example company number, charity number (where applicable)
03752645

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol
Gordon Williams

State whether access to the premises by children is restricted or prohibited
Restricted

This licence was granted on: 1st August 2005

CAMBRIDGE CITY COUNCIL

REPORT OF: The Licensing Manager

TO: Licensing Sub-Committee

17th January 2011

APPLICATION: Application for a new Premises licence:
Cyprus Kebab House, Cherry Hinton Road, Cambridge

WARD: Coleridge

1 INTRODUCTION

1.1 To consider and determine this application for a new premises licence for the Cyprus Kebab House, taking into account the representations of the responsible authorities detailed in paragraph 4, the interested parties detailed in paragraph 5 and the policy considerations detailed in paragraph 6 of the report.

1.2 Mr Adem Ozkurtulus is seeking a new premises licence as follows:

Late night refreshment (indoors)

Mon – Thur & Sun 23.00 to 00.00

Fri – Sat 23.00 to 03.00

Non-standard timings

Christmas Eve and New Years Eve 23:00 to 03:00

Hours premises are open

Mon – Thur & Sun 23.00 to 00.00

Fri – Sat 23.00 to 03.00

Non-standard timings

Christmas Eve and New Years Eve 23:00 to 03:00

1.3 A copy of the application is attached at Appendix A.

1.4 The Sub-Committee's decision must be made with a view to promoting one or more of the four licensing objectives, namely:

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

The key objectives with regard to late night refreshment are considered to be (a) & (c)

2 BACKGROUND

2.1 The applicant describes the premises as a takeaway and restaurant with tables and chairs to the front of the premises. There is no history of grant of a premises

licence under the Licensing Act 2003. The Licensing Act 2003 requires premises providing hot food between the hours of 23.00 & 05.00 hours to be licensed. The premises is not situated in a cumulative impact area.

3. LICENSING OBJECTIVES ADDRESSED BY APPLICANT

- 3.1 The Operating Schedule submitted by the applicant in part P of the application addresses the four licensing objectives. Paragraphs 8.41-8.45 and Section 10 of the Section 182 Guidance refer to the operating schedule and licence conditions. Proposals will very often translate directly into conditions that will be attached to the premises licence. They should be realistic and within the control of the applicant/management responsible for running the premises. The applicant has proposed the following step in support of the licensing objectives which could be considered an appropriate condition:

Public Safety

Escape routes and exits shall be maintained to ensure that they are clearly identified and are not obstructed.

4. REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES

- 4.1 A representation has been received from the Police relating to three of the four licensing objectives and is attached in its entirety at Appendix B. The police state a number of reasons in their representation, giving rise to the view that the grant of a late night refreshment licence in such a location to the hours requested would have a negative cumulative impact on the licensing objectives of the prevention of crime and disorder, public nuisance and the protection of public safety.
- 4.2 Furthermore, the police believe that they would be failing in their obligation under Section 17 of the Crime and Disorder Act 1998 as amended, when exercising functions to give due regard to the likely effect of the exercise of those functions on, and the need to do all that they reasonably can to prevent crime, disorder anti-social and other behaviour adversely affecting the local environment, including the misuse of drugs, alcohol and other substances in its area.
- 4.3 The police view is that the application should be refused and the premises should operate to normal hours until a proven track record has been achieved, showing that no adverse consequences have arisen as a result of its use that offend the licensing objectives.
- 4.4 However, should members not take the view expressed in paragraph 4.3 above, the police request that consideration be given to imposing the following conditions as a minimum:
- The Prevention of Crime and Disorder
1. A digital CCTV system with appropriate recording equipment will be installed, operated and maintained throughout the premises internally to cover all public areas with sufficient numbers of cameras as agreed with Cambridge Police. Images shall be retained for 31 days and made available to the police or authorised officer on reasonable request. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy with GMT.
 2. Glassware or bottles are not to be supplied to customers.
- Public Safety
3. An incident book is kept on the premises and staff are trained in the completion of this. Incident reports containing the names and details of offenders will be passed to the City Cambac manager.

4. Regular health & safety risk assessments are carried out.
5. Patrons will be asked to leave in the event of a greater number of people congregating within the premises than is conducive to public safety.
6. Patrons will be actively discouraged from congregating outside the front of the premises.

The Prevention of Public Nuisance

7. All doors and windows will be kept closed at night to prevent noise nuisance.
8. Music will not be played within the premises
- [9. Patrons will be asked to leave the premises quietly and with due consideration for neighbouring properties. Notices will be displayed in a prominent customer facing area to that effect.] (see paragraph 4.5 below for TLEP similar condition- wording as agreed by applicant)
10. If a delivery service is provided delivery drivers are to be instructed to enter and leave their vehicles quietly and considerately, and not to leave engines running, and to park considerately.
11. Patrons who frequent the premises and behave in a disorderly manner or regularly leave in a noisy fashion will be banned.

The Protection of Children from Harm

12. Any children that frequent the premises during the hours when late night refreshment is provided must be in the company of an adult.

4.5 A representation has been received from Planning, Attached at Appendix C. A planning restriction has been imposed stating that the takeaway may not be open after 23:30 every day, the reason being to protect the amenity of local residents and occupiers in accordance with Cambridge Local Plan 2206 policy 4/13. The application shows hours, which exceed this, and an objection is therefore raised.

4.6 Discussions have taken place between the applicant and the team leader, Environmental Protection regarding the application and it has been agreed by both parties that a representation would not be made providing the following measures are converted into conditions on the licence, if granted:

The Prevention of Public Nuisance

1. Prominent, clear and legible notices shall be displayed at the exit, requesting patrons departing to respect the needs of local residents and to leave the premises and the area quietly. Staff shall monitor exits from the premises at closing times and shall remind any noisy customers to respect the needs of local residents and to be quiet.
2. The licence holder shall provide and maintain a suitable litterbin, within the public area of the premises.

4.7 No representations have been received from, Cambridgeshire Fire & Rescue, the Health & Safety Environmental Health Manager, Child Protection and Trading Standards, the remaining Responsible Authorities.

5. REPRESENTATIONS FROM INTERESTED PARTIES

5.1 One representation attached at Appendix D has been received from an 'interested party' defined as: a person living in that vicinity; a person involved in the business in that vicinity a body representing persons living in, or involved in such a business, or a member of the relevant licensing authority. The representation, from the Chair of the Rustat Neighbourhood Assn, also representing the Rathmore Road and Cherry Hinton Road Residents Associations, has been attached in its entirety. Not all matters raised within the representation may be relevant for consideration under the Licensing Act 2003.

6 POLICY CONSIDERATIONS

- 6.1 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy and any statutory guidance issued under Section 182 of the Licensing Act 2003.
- 6.2 **The Council's Statement of Licensing Policy:** the following sections/paragraphs are applicable to this application:
- Objectives, section 2
 - Fundamental principles, section 4
 - Licensing Hours, section 6
 - Licence Conditions, section 8

- 6.3 **The Statutory Guidance:** the following sections/paragraphs are applicable to this application:

Sections 2.1 – 2.50 of the guidance cover the four licensing objectives/

Sections 2.32 – 2.40 of the guidance cover public nuisance. Section 2.32 considers it important that that licensing authorities focus on impacts of the licensable activities at the premises on persons living and working in the vicinity that are disproportionate and unreasonable.

Sections 3.32 – 3.39 cover the provision of late night refreshment. 3.36 considers the key licensing objectives in connection with late night refreshment are the prevention of crime and disorder and the public nuisance.

Section 8.5 – 8.8 covers interested parties, sections 8.9 – 8.15, the role of Councillors and sections 8.16- 8.21, responsible authorities.

Section 9 covers the determination of applications, with sections 9.3 – 9.13 giving guidance to cover situations where representations have been made. Sections 9.4 –9.6 address the issues of relevance and vicinity. Section 9.12 recommends that in borderline cases the benefit of doubt should be given to the interested party making the representation. The subsequent hearing would provide an opportunity for the person to amplify and clarify it. If it then emerged that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.

Section 10.15 – 10.18 covers duplication and other statutory provisions. The Guidance states that the Licensing Act 2003 does not affect the continued use of inspection and enforcement powers conferred by other legislation; for example the powers of an environmental health officer in relation to statutory noise nuisance under the Environmental Protection Act 1990. However these general duties will not always adequately cover specific issues arising in connection with, for example, certain types of entertainment. It is only where additional and supplementary measures are necessary to promote the licensing objectives that necessary, proportionate conditions will need to be attached to a licence. If existing law places responsibilities on the employer/operator of the premises, then it cannot be necessary to impose the same or similar duties on the premises licence.

Annex B provides an extract from the Licensing Act 2003 (Schedule 2) on the provision of late night refreshment.

Annex D covers conditions relating to the prevention of public nuisance. The

Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005 provide some protection to the general public from the effects of noise nuisance. The police can close premises that are causing nuisance resulting from noise emanating from the premises. The Secretary of States guidance states that these matters should be considered before deciding whether or not conditions are necessary for the prevention of public nuisance.

- 6.4 Members should only impose conditions, which are proportionate and are necessary to promote the licensing objectives (10.11, 10.13 & 10.14). Conditions, which are imprecise or difficult for a licence holder to observe, should be avoided (10.4).

7. CONCLUSIONS

- 7.1 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 1998. The Council must also fulfill 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 Cambridge.

8. OPTIONS

- 8.1 Members should, having regard to the representations, take such steps as they consider are necessary 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)).

9 RECOMMENDATION

- 9.1 That members' determine the application on its individual merits.

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report: Guidance issued under section 182 of the Licensing Act 2003

The Council's Statement of Licensing Policy

To inspect these documents contact Christine Allison on ext. 7879.

The author and contact officer for queries on the report is Christine Allison, on extension 7879.

Report file: M:\EVERYONE\LICENCE\LICACT2003COMMITTEEMTG\LC11-1701 Cyprus Kebab House

Date originated: 31st December 2010

Date of last revision: 31st December 2010

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Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We MR ADEM OZKURTULUS
(insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
CYRUS KERAB HOUSE
62 CHERRY HINTON ROAD

Post town	<u>CAMBRIDGE</u>	Post code	<u>CB1 7AA</u>
-----------	------------------	-----------	----------------

Telephone number at premises (if any)	<u>07884274264</u>
Non-domestic rateable value of premises	£

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
 Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>
Surname OZKURTULUS		First names ADEM		
I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes				
Current postal address if different from premises address				
Post Town		Postcode		
Daytime contact telephone number		07884274264		
E-mail address (optional)				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>
Surname		First names		
I am 18 years old or over <input type="checkbox"/> Please tick yes				

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	
Address	
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

Please give a general description of the premises (please read guidance note1)

TAKE AWAY and RESTAURANT.
TABLES & CHAIRS AT THE FRONT OF THE
SHOP THEN COOKING AND SEWING AREA
THEN PREP AREA THEN THE TOILET AND
STEPS TO UPSTAIRS WHICH IS EMPTY.

If 5,000 or more people are expected to attend the premises at any
one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the
Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<p>State any seasonal variations for performing plays (please read guidance note 4)</p>		
			<p>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)</p>		

B

Films Standard days and timings (please read guidance note 6)	Start	Finish	Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		
			Indoors	Outdoors	Both
Day			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			State any seasonal variations for indoor sporting events (please read guidance note 4)
			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)			
Day	Start	Finish				Indoors
Mon			Please give further details here (please read guidance note 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tue						
Wed						
Thur						
Fri						
State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)						
Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
<p><u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)</p>					
<p><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)</u></p>					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)	Start	Finish	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)		
			Indoors	Outdoors	Both
Day			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Mon					Indoors
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
				Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon					
			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Mon					Indoors
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)	Day	Start	Finish	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	Outdoors	Both
					<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mon	11.00pm	1.00am	Please give further details here (please read guidance note 3) TAKE-AWAY & RESTAURANT			
	Tue	11.00pm	1.00am				
	Wed	11.00pm	1.00am		State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
	Thur	11.00pm	1.00am				
	Fri	11.00pm	3am		Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
	Sat	11.00pm	3am		Christmas Eve 11pm - 3am New Years Eve 11pm - 3am		
	Sun	11.00pm	1.00am				

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	
Day	Start	Finish		On the premises	Off the premises
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4) , ,	<input type="checkbox"/>	<input type="checkbox"/>
Tue				<input type="checkbox"/>	<input type="checkbox"/>
Wed				<input type="checkbox"/>	<input type="checkbox"/>
Thur				<input type="checkbox"/>	<input type="checkbox"/>
Fri				<input type="checkbox"/>	<input type="checkbox"/>
Sat				<input type="checkbox"/>	<input type="checkbox"/>
Sun				<input type="checkbox"/>	<input type="checkbox"/>
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

N/A.

--	--	--

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
---	--	--	---

Day	Start	Finish	
Mon	11:00pm	midnight	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) CHRISTMAS EVE & NEW YEARS EVE TEMPORARY EVENT NOTICE ASSED FOR TO STAY OPEN TILL 3AM.
Tue	11:00pm	midnight	
Wed	11:00pm	midnight	
Thur	11:00pm	midnight	
Fri	11:00pm	3:00am	
Sat	11:00pm	3:00am	
Sun	11:00pm	midnight	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

b) The prevention of crime and disorder

c) Public safety

ESCAPE ROUTES AND EXITS ARE
MAINTAINED TO ENSURE THAT THEY ARE
NOT OBSTRUCTED AND CLEARLY IDENTIFIED

d) The prevention of public nuisance

e) The protection of children from harm


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	29th NOV 2010
Capacity	Premises Licence Holder.

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Licensing
Refuse & Environment Service
Cambridge City Council
PO Box 700
Cambridge
CB1 0JH
Tel: 01223 457879
Email: licensing@cambridge.gov.uk

WINDOW

1

DOOR

TABLE
CHINA

TABLE
CHINA

TABLE
CHINA

TABLE
CHINA

TABLE
CHINA

TABLE
CHINA

DOOR

COUNTER

ACT
DISPLAY

DISPLAY

FRIDGE

TABLE

DRINKS
FRIDGE

FRIDGE

FRIDGE

HOT
DRINKS

FRIDGE

FRIDGE

FRIDGE

FRIDGE

STAIRS

STAIRS UPSTAIRS
EXTINGUISHER

SINK
WINDOW

COOKING
STOVE
FRIDGE

EXIT

STAIRS

EXIT

REFUSE AND
ENVIRONMENT SERVICE
- 1 DEC 2010
POLICE
CAMBRIDGE CB4 0JH

APPENDIX B

Our Ref: PC60 Licensing/Cyrrus Kebab House

Licensing Officer
Cambridge City Council
4, Regent Street
Cambridge
CB2 1BY



Creating a safer
Cambridgeshire

23/12/2010

Dear Madam,

SUBJECT: Cyrrus Kebab House, 62, Cherryhinton Road, Cambridge CB1 7AA

On behalf of the Chief Constable Simon Parr I attach a Police representation in regard to the application for a the variation of a late night refreshment licence for the above. These representations are in regard to licensing objectives for Prevention Of Crime and Disorder, Public nuisance and Public under Licensing Act 2003.

Yours Sincerely *P. Sinclair*

Pc60 Peter Sinclair
Divisional Licensing Officer
Southern Division
Parkside Police Station.

CC Mr. Adem Ozkurtulus 62, Cherryhinton Road,, Cambridge CB1 7AA

**THE LICENSING ACT 2003
REPRESENTATION FORM FOR "RESPONSIBLE AUTHORITY"**

Please delete as applicable: **POLICE**

Your name	PC60 Peter Sinclair
Job Title	Licensing Officer, Southern Division
Postal Address (inc post code)	Police Station Parkside Cambridge CB1 1JG
Contact telephone number:	01223 823397
Mobile Number:	07738348577
Email address:	<u>Peter.sinclair@cambs.pnn.police.uk</u>

Name of Premises you are making a representation about:	Cyrrus Kebab House
Address of the premises you are making a representation about:	62, Cherryhinton Road Cambridge CB1 7AA

This section is about your representations. They must relate to one or more of the Licensing Objectives. Please detail the evidence supporting your representation, (under the relevant headings) and the reason for your representations. It is important that you detail all matters that you wish to be considered. (Use additional sheets if necessary). Regulations provide that in considering representations the authority may take into account documentary or other information produced by the party either before the hearing or, with the consent of all parties, at the hearing.

Which licensing objective(s) does your representation relate to?	Please see below
The prevention of crime and disorder	Public safety
See Below	See Below
The prevention of public nuisance	Protection Of Children from Harm
See Below	See below

Prevention Of Crime & Disorder /Public Nuisance/ Public Safety

This is an application for Late Night Refreshment until midnight throughout the week and 0300 hrs Friday and Saturday in a residential area.

There is nothing within the applicants operating schedule of how he proposes to address the issue of drunken customers attending the premises to obtain food , the measures to prevent rowdy and noisy behaviour which in our view is an inevitable consequence of opening a fast food outlet until midnight in the week and 0300 hrs Friday & Saturday.

Cherryhinton Road is of the main pedestrian thoroughfares from the Cambridge Leisure site and is on the periphery of that Cumulative impact Area.

It is one of the main routes for patrons leaving the area on foot

At the times proposed the core of the potential customers are likely to be intoxicated and already worse the wear for drink, if not drunk. Those individuals are likely to be the main target audience for sales during the hours proposed for operation.

Experience shows us that when food take-aways outlets are operating when pubs and clubs are dispersing, a significant amount patrons wish to avail themselves of food, which is clearly the applicant's intention. This however invariably leads to confrontations, assaults fights, general disorder and nuisance taking place in and around the premises. It also can be very intimidating for staff working in the premises.

It is particularly an issue in a road bordered on both sides by buildings where noise will bounce around particularly late at night near residential properties

The latest crime analysis found in City East Area Update for Dec 2010 in relation to Coleridge Ward where this application is situated states:

- Total crime in Coleridge Ward has remained stable compared to the previous period 307 to 306, and levels also remain similar to those experienced in the equivalent period last year (304).
- Levels of violent crime have remained at a similar level with 66 offences compared to 62 in the preceding months and 48 last year. Cherry Hinton Rd and the Leisure Park remains a hotspot for offences, many of which appear to be related, to the night-time economy and consumption of alcohol. Most offences have been common assaults or assaults occasioning actual bodily harm.
- ASB in Coleridge Ward has decreased since the last period from 279 to 204 and is still below the levels seen last year of 239. Cherry Hinton Road has recorded 42 incidents of ASB which relate to alcohol related behaviour and rowdy nuisance behaviour by youths.

It is obvious to the police based on our knowledge and experience of the area that allowing the premises to trade where its main core of customers will be either "in drink ", intoxicated or drunk is likely to lead to an increase in crime and disorder taking place, especially in the absence of any preventative measures or deterrents such as such as, CCTV adequate staffing, dispersal etc.

Continued >

Prevention Of Crime & Disorder /Public Nuisance/ Public Safety

There is also the issue of disturbance to nearby residents of customers congregating outside, and the noise and possible litter element attached to sales to them.

A late night food outlet also by its very nature also encourages people to congregate and remain in the area, rather than dispersing and leaving via local transport (taxis) or on foot etc.

Because of the above reasons the police believe that the granting of a late night refreshment licence at the location to the hours requested would have a negative impact on the licensing objectives, in particular, crime & disorder, public nuisance and public safety.

Furthermore the police believe that we would be failing in our obligation under Section 17 of The Crime and Disorder Act 1998 as amended when exercising functions to give due regard to the likely effect of the exercise of those functions on, and the need to do all that they reasonably can to prevent, crime, disorder anti-social and other behaviour adversely affecting the local environment, including the misuse of drugs, alcohol and other substances in its area.

Evidence adduced in support of such representations may comprise of, although not exclusively, first hand knowledge of officers involved in policing the area, statistical analysis of crime, disorder & incidents of anti social behaviour, as well as police records from the Command and control logs, police crime files, statements and/or CCTV footage.

The Polices view is that this application should be refused and the premises should operate to normal hours until a proven track record has been achieved, which shows that no adverse consequences that offend the licensing objectives will arise as a result of its use.

Should the committee however be minded to grant the application, the Police request that consideration be given to imposing the following conditions:

The Police believe that the following additional steps should be the minimum undertaken in order to promote the four Licensing Objectives:

The Prevention of Crime and Disorder -

A digital CCTV system with appropriate recording equipment will be installed, operated and maintained throughout the premises internally to cover all public areas with sufficient numbers of cameras as agreed with Cambridge Police. Images shall be retained for 31 days and made available to the police or authorised officer on reasonable request. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy with GMT.

Glassware or bottles are not to be supplied to customers.

Public Safety -

An incident book is kept on the premises and staff are trained in the completion of this. Incident reports containing the names and details of offenders will be passed to the City Cambac manager.

Regular health & safety risk assessments are carried out.

Patrons will be asked to leave in the event of a greater number of people congregating within the premises than is conducive to public safety.

Patrons will be actively discouraged from congregating outside the front of the premises.

The Prevention of Public Nuisance –

All doors and windows will be kept closed at night to prevent noise nuisance .

Music will not be played within the premises

Patrons will be asked to leave the premises quietly and with due consideration for neighbouring properties. Notices will be displayed in a prominent customer facing area to that effect.

If a delivery service is provided delivery drivers are to be instructed to enter and leave their vehicles quietly and considerately, and not to leave engines running, and to park considerately.

Patrons who frequent the premises and behave in a disorderly manner or regularly leave in a noisy fashion will be banned.

The Protection of Children from Harm –

Any children that frequent the premises during the hours when late night refreshment is provided must be in the company of an adult.

Signed



Date 23/12/2010



Licensing Act 2003

Delegation of responsibilities by the Chief Officer of Police

In accordance with the provisions of the Licensing Act 2003 I hereby delegate authority to Divisional Commanders and to Divisional Superintendents to develop policies and procedures and to exercise all powers vested in the Chief Constable of Cambridgeshire Constabulary. Such delegation to include the power to delegate specific tasks to licensing constables and support staff.

This delegation shall remain in force unless otherwise notified.

Signed

A handwritten signature in blue ink, which appears to read "Simon Parr", is written over a dotted line.

Simon Parr
Chief Constable
Cambridgeshire Constabulary

Dated

7/9/10

Crime and Anti-Social Behaviour Incident Levels in the Cambridge East Neighbourhood, by Ward

			Dwelling Burglary	Other Burglary	All Violent Crime (excl. Robbery)	Robbery	Theft of Vehicle	Theft from Vehicle	Cycle Theft	Theft from Shop	Criminal Damage	Other Crime	Total Crime	Total ASB
N'hod	City East	<i>July 10 – Nov 10</i>	121	57	270	19	21	136	451	193	158	277	1703	1002
		<i>Feb 10 – Jun 10</i>	106	73	231	32	26	86	324	172	218	330	1598	1053
		<i>July 09 – Nov 09</i>	108	71	262	17	30	173	439	208	246	375	1929	1146
Wards	Abbey	<i>July 10 – Nov 10</i>	42	11	96	6	9	51	63	68	60	73	479	328
		<i>Feb 10 – Jun 10</i>	27	30	78	12	12	30	57	60	63	89	458	348
		<i>July 09 – Nov 09</i>	34	19	108	8	12	52	80	89	74	122	598	413
	Petersfield	<i>July 10 – Nov 10</i>	47	20	55	5	6	41	229	81	36	88	608	219
		<i>Feb 10 – Jun 10</i>	27	19	49	6	4	23	151	74	53	95	501	203
		<i>July 09 – Nov 09</i>	17	19	51	3	2	62	142	88	74	126	584	241
	Romsey	<i>July 10 – Nov 10</i>	18	14	53	5	3	24	73	20	33	66	309	251
		<i>Feb 10 – Jun 10</i>	25	10	42	8	7	25	61	25	50	80	33	223
		<i>July 09 – Nov 09</i>	41	19	55	4	9	42	130	23	59	61	443	253
	Coleridge	<i>July 10 – Nov 10</i>	14	12	66	3	3	20	86	24	23	56	307	204
		<i>Feb 10 – Jun 10</i>	27	14	62	6	3	8	55	13	52	66	306	279
		<i>July 09 – Nov 09</i>	16	14	48	2	7	17	87	8	39	66	394	239

ASB Incident Types in the City East Area Neighbourhood, by Ward

Please Note

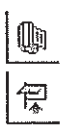
Incident levels for each of the wards may not be consistent with the official figures that will be published by the Force and Home Office. This is because the data system used to draw the level of detail needed for the ASB type breakdown for this report may not contain precise locations due to the way incidents are reported e.g. ASB reported where ward boundaries lie could initially be recorded in the neighbouring ward but subsequently corrected.

The figures should only be used as a guide and not regarded as official statistics for publication.

			Abandoned Vehicle	Animal Problems	Begging/Vagrancy	Hoax call to emergency services	Litter	Malicious/Nuisance Communication	Noise	Prejudice Incident	Prostitution	Regular Caller – Hist Info.	Rowdy & Inconsiderate Behaviour	Rowdy/Nuisance Neighbours	Rowdy/Nuisance use/sale Fireworks	Street Drinking	Trespass	Vehicle related nuisance/Inappropriate Vehicle use	Grand Total
N'Hod	City East	July 10 – Nov 10	98	4	18	14	6	72	98	4	3	1	570	156	3	15	2	80	1144
		Feb 10 – Jun 10	70	1	29	10	4	72	147	8	1	10	542	138	0	12	3	95	1142
Wards	Abbey	July 10 – Nov 10	20	1	2	3	0	26	25	3	1	0	165	52	1	4	1	28	332
		Feb 10 – Jun 10	21	0	4	2	1	15	38	3	0	1	157	57	0	2	1	39	341
	Petersfield	July 10 – Nov 10	12	0	7	0	2	16	14	0	0	0	139	14	1	6	1	9	221
		Feb 10 – Jun 10	5	0	12	1	0	6	24	0	0	0	116	18	0	7	0	11	200
	Romsey	July 10 – Nov 10	14	1	5	7	3	12	40	0	0	0	109	43	1	3	0	13	251
		Feb 10 – Jun 10	12	0	11	6	2	14	12	3	0	0	116	23	0	2	1	14	216
	Coleridge	July 10 – Nov 10	52	2	4	4	1	18	19	1	2	1	157	47	0	2	0	30	340
		Feb 10 – Jun 10	32	1	2	1	1	37	73	2	1	9	153	40	0	1	1	31	385

Appendix C

CAMBRIDGE CITY COUNCIL



MEMORANDUM

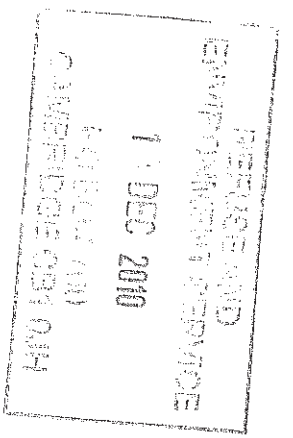
To: Debbie Stoker	Dept: Env Health (Licensing)
Building: Mandela House	Your Reference:
From: Alison Twyford	Dept: Development Services
Date: 13 December 2010	Our Ref: P558/ 448

Subject: Premises License
 New
 Cyprus Kebab House
 62 Cherry Hinton Road
 Cambridge
 Cambridgeshire
 CB1 7AA

Applicant/
 Agent:

I refer to your memo dated 09/12/2010
 A planning restriction/condition has been imposed in respect of the above premises details of which are appended below:

Condition 3 of planning application 10/0127/FUL states:
 "The proposed takeaway unit may not be open after 11:30pm every day.
 Reason: To protect the amenity of local residents and occupiers in accordance with Cambridge Local Plan 2006 policy 4/13."
 The application shows opening hours which exceed this and an objection is therefore raised



APPENDIX D

From: Roger Crabtree <licensing@cambridge.gov.uk>, <christine.allison@cambridge.gov>
To: licensing@cambridge.gov.uk, <christine.allison@cambridge.gov>, Roger Bourdon
CC: Chris Kingston <christine.allison@cambridge.gov>
Date: 23/12/2010 16:34
Subject: FW: Cyprus Kebabs, 62 Cherry Hinton Road

Dear Christine and Vicky

I am writing on behalf of Rustat Neighbourhood Association and Rathmore and Cherry Hinton Road Residents Association to object to this licensing application

The application only relates to opening hours after 11.00pm. The premises are, of course, open well before 11.00 but our concerns only relate to late night opening hours. These are requested to be 11.00pm until midnight 5 nights a week and 11.00pm until 03.00am on Fridays and Saturdays.

We object to the premises staying open beyond 11.30pm.

We would draw your attention to the fact that a consistent approach has been made by the City Council, both Licensing and Planning, to applications for extended opening hours. This approach has been in existence for some 10 years and only breached, at Appeal with the Planning Inspectorate in the case of Nusha Bar at the back of the Leisure Centre square.

Thus, we believe it is fair to say that there is clear Council policy for this area in respect of opening hours and this reflects the opening time which were introduced at the time the Leisure Centre was opened.

I would ask you to note the comments of the Planning Inspector in respect of an application by Subway to extend opening hours. He said in the conclusion of his report

'Overall I consider that the proposed extension of opening hours will have an adverse effect on the living conditions of the occupiers of nearby residential properties as a result of noise and disturbance, and it is my conclusion that Condition 31 (which relates to opening hours) dated September 10 2000, is reasonable and necessary to protect the living conditions of nearby residents. For three reasons given above, I conclude that the appeal should be dismissed'.

We acknowledge that this relates to a Planning application but argue that the reasoning equally should apply to a Licensing application.

We also recognise that this ruling applied to premises on the Leisure Centre, though ones which are quite close to Cherry Hinton Road. These are some 200 yards away from the Cyprus Kebab premises. However there are residential properties equally close to the Cyprus Kebab premises and we would argue that the area immediately surrounding this site is much more predominantly residential one than that immediately adjacent to Subway.

Furthermore some 3 years ago, the request of Luxa Sparkles (100 yards way further down Cherry Hinton Road) to open and sell food and alcohol beyond 11.30pm was rejected. So those premises now close at 11.30.

We do not believe that there are any grounds for changing this policy and approach. To do so would set an unacceptable precedent and we will be in danger of scrubbing out the line that has been drawn in the sand for the last 10 years. What grounds for rejection would there then be for subsequent licensing and planning applications for extended hours in this area? In the present economic climate, other nearby retail units may well also seek

APPENDIX D
CONT'D

extensions in an attempt to generate extra business, and potential new unit owners would use this as a precedent, no doubt believing they too could get approval for extended hours. This could lead to a significant change in the character of the area.

While there are some tables inside the premises, the predominant use is as a take away, thus there is a high likelihood that any users will eat their purchases in the immediate vicinity of the premises, causing noise and probably litter.

We believe there is a very strong likelihood that a high proportion of the people who might use these premises after 11.30pm would be people who have been drinking, and many will be quite intoxicated. Indeed, by seeking to open until 3.00am, the owner is clearly targeting such people. Such people would, of course, be far more likely to be noisy; the potential for disturbances, disorder and anti-social behaviour would be a high.

Quite a number would use their cars to visit the premises and thus there will also be the noise of car doors banging and engines revving, both in the limited space in Cherry Hinton Road and in the southern end of Rustat Road.

We would also point out that these premises are right on the edge of a Cumulative Impact Zone.

Looking at the immediately neighbouring premises, the sandwich bar closes late afternoon. The Indian restaurant, Taj Tandoori, also next door, is primarily a restaurant, and, although it also does takeaway food, Indian food is not usually eaten nearby, but taken away in sealed containers to be eaten at home.

We believe that the closing time at Luxa Sparkles should be used as the comparator for these premises given their proximity and identical neighbourhoods. We therefore oppose the proposed opening hours and ask that they be limited to 11.30 on all 7 days in the week.

We also have some objections to the plans for illuminating the shop front but understand they are matters for Planning, not Licensing.

Subject to availability, we plan to attend and speak at the licensing committee meeting which deals with this application, and therefore ask that you notify us of the planned date

Yours sincerely

Roger Crabtree
Chair, Rustat Neighbourhood Association and also representing the Rathmore and Cherry Hinton Road Residents Association

----- End of Forwarded Message

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CAMBRIDGE CITY COUNCIL

REPORT OF: The Licensing Manager

TO: Licensing Sub-Committee

17th January 2011

APPLICATION: Application for a new Premises licence:
Greene Room, 42 Hobson Street, Cambridge

WARD: Market

1 INTRODUCTION

1.1 To consider and determine this application for a new premises licence for the Greene Room, 42 Hobson Street, taking into account the representations of the responsible authorities detailed in paragraph 4, the interested parties detailed in paragraph 5 and the policy considerations detailed in paragraph 6 of the report.

1.2 Poppleston Allen, solicitors acting for No Saints Ltd, is seeking a new premises licence as follows:

Sale/supply of alcohol (on and off the premises), plays, films, indoor sporting events, live music, recorded music, performances of dance, provision of facilities for making music, provision of facilities for dancing (indoors).

Mon – Sun 10:00 to 02:00

Non standard timings

An additional hour to the standard and non-standard times on the day when British summer time commences.

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Late Night Refreshment (indoors)

Mon – Sun 23:00 to 02:00

Non standard timings

An additional hour to the standard and non-standard times on the day when British summer time commences.

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Hours premises are open

Mon – Sun 10:00 to 02:30

Non standard timings

An additional hour to the standard and non-standard times on the day when British summer time commences.

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

- 1.3 A copy of the application and plan is attached at Appendix A.
- 1.4 The Sub-Committee's decision must be made with a view to promoting one or more of the four licensing objectives, namely:
 - (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 BACKGROUND

- 2.1 The applicant describes the premises as a late night lounge and entertainment venue focussing on high quality staged-based live entertainment of all descriptions with a small holding bar and substantial patron seating area. Useage will be spread over five floors and roof area. The applicant is applying for the grant of a new premises licence. A premises licence was granted in September 2005 under the Licensing Act 2003 to Albanwise Ltd in the name of Gala Bingo and remains current. The applicant has indicated that agreement has been reached between the parties that if this application is granted, the existing premises licence will be surrendered.
- 2.2 Hobson Street is situated within a cumulative impact area and is therefore subject to a special policy on cumulative impact. The special policy creates a rebuttable presumption that applications within cumulative impact areas for new premises licences will normally be refused if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced. Applicants will need to address the special policy issues in their operating schedule in order to rebut such a presumption. The special policy is set out in section 5 of the Council's Statement of Licensing Policy.

3. LICENSING OBJECTIVES ADDRESSED BY APPLICANT

- 3.1 The Operating Schedule submitted by the applicant in part P of the application addresses the four licensing objectives. Paragraphs 8.41-8.45 and Section 10 of the government guidance refer to the operating schedule and licence conditions. Proposals will very often translate directly into conditions that will be attached to the premises licence. They should be realistic and within the control of the applicant/management responsible for running the premises.

The applicant has proposed a number of steps in support of the licensing objectives which could be considered as appropriate conditions:

The Prevention of Crime & Disorder

1. Where required by the police, a text, pager or radio will be used to keep in contact with other premises in Cambridge.
2. Such text, pager or radio shall be kept in good working order and shall be monitored by a responsible member of staff.
3. Relevant incidents of crime or disorder shall be reported to the police via the text, pager or radio.
4. A risk assessment will be carried out to determine the number of door staff who shall be on duty for each public opening.
5. A register of door staff will be maintained indicating the number of door staff on duty, their identity and the times they were on duty.

6. No person who is drunk or disorderly will be allowed access to or be allowed to remain on the premises.
7. No customer will be allowed to bring open or sealed bottles onto the premises.
8. No person shall be allowed to leave the premises with any bottle or glass except to go to the outside area.
9. CCTV shall be provided on the premises and shall be kept in good working order and any recordings from the CCTV shall be retained for a period of 30 days for internal cameras and 7 days for external cameras.
10. A notice shall be displayed at the entrance to the premises that CCTV is in operation in the premises.
11. The premises will be a member of any local pubwatch scheme.
12. An incident book will be kept at the premises in which will be recorded all incidents of crime and disorder. This book will be reviewed by senior management in association with the Designated Premises Supervisor.

Public Safety

1. There shall be a suitable number of adequately trained staff to prevent overcrowding in parts of the premises, keep exit routes clear and to ensure the safe evacuation of people from the premises. In the event of an emergency such staff will have been issued with specific duties in the event of an emergency.
2. A full fire risk assessment including an evacuation plan will be prepared by the Premises Licence Holder.
3. All staff shall have received training on the safe evacuation of premises in the event of an emergency and such training shall be repeated at least annually. A record of the training provided shall be kept at the premises for at least 12 months and will be made available to the fire service or Council.

The prevention of public nuisance

1. The applicant will adopt a bespoke dispersal policy for the premises and shall provide any of the responsible authorities with a copy of it if requested.
2. Noise or vibration from within the premises or from any plant machinery or equipment shall not emanate from the premises so as to cause a nuisance to any residential dwelling.

The protection of children from harm

1. The premises shall adopt a Challenge 21 policy.
2. All staff shall be trained to ensure that no person under the age of 18 years will be sold intoxicating liquor including the need for any person who looks under 18 to provide evidence of their age.
3. Signs shall be displayed at the bar stating that any person who appears under the age of 18 will not be served with intoxicating liquor.
4. Photographic driving licences, passports or in agreement with the police a form of identification with the PASS hologram will be used as evidence of anyone who appears to be under the age of 18.

- 3.2 The applicant is aware of the cumulative impact policy and addresses the matter in the application. The applicant has considerable experience of operating licensed premises and emphasises that the application is not for a nightclub in any sense. The applicant is confident that the replacement of the licence, albeit with later hours and of a different style, will not adversely affect the current situation in the city in terms of crime and disorder and public nuisance. Capacity is also referred to.

4. REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES

- 4.1 A representation has been received from the Police relating to three of the four licensing objectives and is attached in its entirety at Appendix B. The police state a number of reasons in their representation, giving rise to the view that the grant of such a licence would have a negative cumulative impact and would result in adverse consequences for the prevention of crime and disorder, public nuisance and the protection of public safety. Conditions are not referred to.
- 4.2 Furthermore, the police believe that they would be failing in their obligation under Section 17 of the Crime and Disorder Act 1998 as amended, when exercising

functions to give due regard to the likely effect of the exercise of those functions on, and the need to do all that they reasonably can to prevent crime, disorder anti-social and other behaviour adversely affecting the local environment, including the misuse of drugs, alcohol and other substances in its area.

- 4.3 A representation has been received from the Team Leader, Environmental Protection (TLEP) and is attached at Appendix C. At the time of writing the report, the TLEP had received insufficient information to allay concerns about the effects the activities may have on nearby residential accommodation or to advise suitable conditions to prevent public nuisance.
- 4.4 Planning has responded that the premises has a lawful planning use as D2 assembly and leisure use and the use of a music/concert hall would be permitted. Planning advise the applicant to contact the planning department if they believe the predominant use of the building will not fall within this use. No objection has been raised at this point.
- 4.5 No representations have been received from, Cambridgeshire Fire & Rescue, the Health & Safety Environmental Health Manager, Child Protection and Trading Standards, the remaining Responsible Authorities.

5. REPRESENTATIONS FROM INTERESTED PARTIES

- 5.1 Eleven representations have been received from 'interested parties' defined as: persons living in the vicinity; persons involved in a business in that vicinity and bodies representing persons living or involved in such a business. The ordinary meaning of vicinity is 'near'. The representations are attached in their entirety at Appendix D. Not all matters raised within the representations may be relevant matters for consideration under the Licensing Act 2003.
- 5.2 One representation, attached at Appendix E, was received after the cut off date for receipt of representations. The person making the representation has been informed.

6 POLICY CONSIDERATIONS

- 6.1 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy and any statutory guidance issued under Section 182 of the Licensing Act 2003.
- 6.2 **The Council's Statement of Licensing Policy:** the following sections/paragraphs are applicable to this application:
- Objectives, section 2.4
 - Fundamental principles, section 4
 - Cumulative impact, section 5
 - Licensing Hours, section 6
 - Licence Conditions, section 8
- 6.3 **The Statutory Guidance:** the following sections/paragraphs are applicable to this application:

Sections 2.1- 2.50 of the guidance cover the four licensing objectives.
Sections 2.32 – 2.40 of the guidance cover public nuisance. Section 2.32 considers it important that that licensing authorities focus on impacts of the

licensable activities at the premises on persons living and working in the vicinity that are disproportionate and unreasonable.

Sections 3.32 – 3.39 cover the provision of late night refreshment.

Section 8.5 – 8.8 covers interested parties, Sections 8.9 – 8.15, the role of local councillors and Sections 8.16 – 8.21, responsible authorities.

Section 9 covers the determination of applications, with sections 9.3 – 9.13 giving guidance to cover situations where representations have been made. Sections 9.4 – 9.6 address the issues of relevance and vicinity. Sections 9.8, 9.10 and 9.11 covers relevance in more detail, including guidance on frivolous and vexatious representations. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Section 9.12 recommends that in borderline cases the benefit of doubt should be given to the interested party making the representation. The subsequent hearing would provide an opportunity for the person to amplify and clarify it. If it then emerged that the representation should not be supported, the licensing authority could decide not to take any action.

Sections 10.15 – 10.18 covers duplication with other statutory provisions. If other existing law already places responsibilities on the employer/operator of the premises, then it cannot be necessary to impose the same or similar duties on the premises licence. Sections 10.17 & 10.18 state that the Licensing Act 2003 does not affect the continued use of the powers of an environmental health officer in respect of statutory noise nuisance under the Environmental Protection Act 1990. However these general duties will not always adequately cover specific issues arising in connection with, for example, certain types of entertainment. It is only where additional and supplementary measures are necessary to promote the licensing objectives that necessary, proportionate conditions will need to be attached to a licence.

Sections 10.19 – 10.21 and 13.40-13.42 cover licensing hours and the hours of trading. Section 13.41 states that providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

Sections 13.24 -13.39 cover cumulative impact. Section 13.29 sets out the effects of adopting a cumulative impact policy. There is a rebuttable presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact, will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Annex D covers conditions, with Part 4 relating to the prevention of public nuisance. The Environmental Protection Act 1990, the Noise Act 1996 and the Clean Neighbourhoods and Environment Act 2005 provide some protection to the general public from the effects of noise nuisance. The police can close premises that are causing nuisance resulting from noise emanating from the premises. The Secretary of States guidance states that these

matters should be considered before deciding whether or not conditions are necessary for the prevention of public nuisance.

- 6.4 Members should only impose conditions, which are proportionate and are necessary to promote the licensing objectives (10.11, 10.13 & 10.14). Conditions which are imprecise or difficult for a licence holder to observe should be avoided (10.4).

7. CONCLUSIONS

- 7.1 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 1998. 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 Cambridge.

8. OPTIONS

- 8.1 Members should, having regard to the representation, take such steps as they consider are necessary for the promotion of the licensing objectives.
- 8.2 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)).
- 8.3 Members should consider Section 13.29 of the Guidance and Section 5 of Cambridge City Council's Statement of Licensing Policy relating to cumulative impact. Licences will normally be refused, following relevant representation, unless the applicant can demonstrate in the operating schedule (see section 3 above) that there will be no negative cumulative impact on one or more of the licensing objectives.

9 RECOMMENDATION

- 9.1 That members' determine the application on its individual merits.

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

- Guidance issued under section 182 of the Licensing Act 2003
- The Council's Statement of Licensing Policy

To inspect these documents contact Christine Allison on ext. 7899.

The author and contact officer for queries on the report is Christine Allison, on extension 7899.

Report file: M:\EVERYONE\LICENCE\LICACT2003COMMITTEEMTG\LC11-1701/Greene Room

Date originated: 4th January 2011.

Date of last revision: 4th January 2011.

Cambridge City Council

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

1/We No Saints Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 1/We are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description

Greene Room 21 Hobson Street Cambridge	Cambridge	Post code CB1 1NW
--	-----------	----------------------

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£400,000.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname				First names	
I am 18 years old or over <input type="checkbox"/> Please tick yes					
Current postal address if different from premises address					
Post Town					Postcode
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over <input type="checkbox"/> Please tick yes					
Current postal address if different from premises address					
Post Town					Postcode
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	No Saints Ltd
Address	Lakeside Shirwell Crescent Furzton
Registered number (where applicable)	6866-166
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited company
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
A	S	A
P		

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

A

Please give a general description of the premises (please read guidance note 1)

A late night lounge and entertainment venue focusing on high quality staged-based live entertainment of all descriptions with a small holding bar and substantial patron seating area. Each week there will be a wide and varied package of entertainment.

The applicant has entered into a conditional Agreement for Lease with the Premises Licence Holder and Landlord, Albanwise Limited.

The Agreement is conditional upon the grant of a new Premises Licence to the applicant.

It has also been agreed between the parties that if this application is granted the existing Premises Licence in the name of Albanwise Limited will be surrendered. A draft copy of this letter is attached to the application for information.

Cumulative Impact

The applicant is aware is aware of Cambridge's Cumulative Impact Policy. The applicant has considerable and extensive experience of operating licensed premises in towns and cities in England and Wales and indeed in Cambridge itself.

The style of operation is referred to in greater detail above and this emphasises that this is not an

application for a nightclub in any sense but the introduction of a different style of venue to those currently operating in the City of Cambridge.

The existing Premises Licence albeit a for a bingo club, currently closed, does have an occupancy figure in excess of 700 and also offered a range of licensable activities until midnight with people leaving by 12.30am.

The applicant is confident that the replacement of this licence albeit with later hours of operation and a different style will not adversely affect the current situation in the City in terms of crime and disorder and public nuisance.

The applicant is aware that almost certainly this application will be considered by the Licensing Committee and further evidence supporting this argument will be adduced prior to a hearing date.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Please tick yes

- Provision of regulated entertainment**
- a) plays (if ticking yes, fill in box A)
 - b) films (if ticking yes, fill in box B)
 - c) indoor sporting events (if ticking yes, fill in box C)
 - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
 - e) live music (if ticking yes, fill in box E)
 - f) recorded music (if ticking yes, fill in box F)
 - g) performances of dance (if ticking yes, fill in box G)
 - h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)	Day	Start	Finish	Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	Outdoors	Both
					<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mon		1000	0200	Please give further details here (please read guidance note 3) Production and rehearsals of plays for an audience			
Tue		1000	0200				
Wed		1000	0200	State any seasonal variations for performing plays (please read guidance note 4)			
Thur		1000	0200				
Fri		1000	0200	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) An additional hour to the standard and non-standard times on the day when British Summertime commences. New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day			
Sat		1000	0200				
Sun		1000	0200				

B

Films Standard days and timings (please read guidance note 6)		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Indoors	Outdoors
Mon	1000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tue	1000	<input type="checkbox"/>	<input type="checkbox"/>
Wed	1000	<input type="checkbox"/>	<input type="checkbox"/>
Thur	1000	<input type="checkbox"/>	<input type="checkbox"/>
Fri	1000	<input type="checkbox"/>	<input type="checkbox"/>
Sat	1000	<input type="checkbox"/>	<input type="checkbox"/>
Sun	1000	<input type="checkbox"/>	<input type="checkbox"/>

Films Standard days and timings (please read guidance note 6)		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Indoors	Outdoors
Mon	1000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tue	1000	<input type="checkbox"/>	<input type="checkbox"/>
Wed	1000	<input type="checkbox"/>	<input type="checkbox"/>
Thur	1000	<input type="checkbox"/>	<input type="checkbox"/>
Fri	1000	<input type="checkbox"/>	<input type="checkbox"/>
Sat	1000	<input type="checkbox"/>	<input type="checkbox"/>
Sun	1000	<input type="checkbox"/>	<input type="checkbox"/>

C

Indoor sporting events Standard days and timings (please read guidance note 6)		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)
Day	Start	Indoors
Mon	1000	<input type="checkbox"/>
Tue	1000	<input type="checkbox"/>
Wed	1000	<input type="checkbox"/>
Thur	1000	<input type="checkbox"/>
Fri	1000	<input type="checkbox"/>
Sat	1000	<input type="checkbox"/>
Sun	1000	<input type="checkbox"/>

Indoor sporting events Standard days and timings (please read guidance note 6)		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)
Day	Start	Indoors
Mon	1000	<input type="checkbox"/>
Tue	1000	<input type="checkbox"/>
Wed	1000	<input type="checkbox"/>
Thur	1000	<input type="checkbox"/>
Fri	1000	<input type="checkbox"/>
Sat	1000	<input type="checkbox"/>
Sun	1000	<input type="checkbox"/>

Please give further details (please read guidance note 3)

State any seasonal variations for indoor sporting events (please read guidance note 4)

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
 An additional hour to the standard and non-standard times on the day when British Summertime commences.

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

D			Boxing or wrestling entertainments		
Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon				<input type="checkbox"/>	<input type="checkbox"/>
Tue				<input type="checkbox"/>	<input type="checkbox"/>
Wed				<input type="checkbox"/>	<input type="checkbox"/>
Thur				<input type="checkbox"/>	<input type="checkbox"/>
Fri				<input type="checkbox"/>	<input type="checkbox"/>
Sat				<input type="checkbox"/>	<input type="checkbox"/>
Sun				<input type="checkbox"/>	<input type="checkbox"/>
			Please give further details here (please read guidance note 3)		
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		

E					
Live music			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		
Standard days and timings (please read guidance note 6)			Indoors		
Day	Start	Finish	Indoors	Outdoors	Both
Mon	1000	0200	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tue	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wed	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thur	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fri	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sat	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sun	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Please give further details here (please read guidance note 3)		
			Live music provided by bands playing unamplified and amplified music.		
			State any seasonal variations for the performance of live music (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
			An additional hour to the standard and non-standard times on the day when British Summertime commences.		
			New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0200	Please give further details here (please read guidance note 3) Both amplified and unamplified recorded music played through an in house speaker system.	Both	<input type="checkbox"/>
Tue	1000	0200			
Wed	1000	0200	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	1000	0200			
Fri	1000	0200	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) An additional hour to the standard and non-standard times on the day when British Summertime commences.		
Sat	1000	0200			
Sun	1000	0200	New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0200	Please give further details here (please read guidance note 3) Dancing by staff throughout the premises.	Both	<input type="checkbox"/>
Tue	1000	0200			
Wed	1000	0200	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	1000	0200			
Fri	1000	0200	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) An additional hour to the standard and non-standard times on the day when British Summertime commences.		
Sat	1000	0200			
Sun	1000	0200	New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)		Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Indoors	Outdoors
Mon			<input type="checkbox"/>	<input type="checkbox"/>
Tue			<input type="checkbox"/>	<input type="checkbox"/>
Wed			<input type="checkbox"/>	<input type="checkbox"/>
Thur			<input type="checkbox"/>	<input type="checkbox"/>
Fri			<input type="checkbox"/>	<input type="checkbox"/>
Sat			<input type="checkbox"/>	<input type="checkbox"/>
Sun			<input type="checkbox"/>	<input type="checkbox"/>

Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)

Please give further details here (please read guidance note 3)

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)

Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)

Provision of facilities for making music Standard days and timings (please read guidance note 6)		Please give a description of the facilities for making music you will be providing		
Day	Start	Finish	Indoors	Outdoors
Mon	1000	0200	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tue	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>
Wed	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>
Thur	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>
Fri	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>
Sat	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>
Sun	1000	0200	<input type="checkbox"/>	<input type="checkbox"/>

Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)

Please give further details here (please read guidance note 3)

In house music system playing amplified music controlled by the staff.

State any seasonal variations for the provision of facilities for making music (please read guidance note 4)

Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)

An additional hour to the standard and non-standard times on the day when British Summertime commences.

New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)		Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	
Day	Start	Indoors	<input checked="" type="checkbox"/>
Mon	1000	Outdoors	<input type="checkbox"/>
Tue	1000	Both	<input type="checkbox"/>
Wed	1000	Please give a description of the facilities for dancing you will be providing	
Thur	1000	Please give further details here (please read guidance note 3)	
Fri	1000	Provision of dance floor and lighting system.	
Sat	1000	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Sun	1000	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
		An additional hour to the standard and non-standard times on the day when British Summertime commences.	
		New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day	

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)		Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Indoors	<input type="checkbox"/>
Mon		Outdoors	<input type="checkbox"/>
Tue		Both	<input type="checkbox"/>
Wed		Please give further details here (please read guidance note 3)	
Thur		State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)	
Fri		Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat			
Sun			

Late night refreshment Standard days and timings (please read guidance note 6)		Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start		Finish	Outdoors
Mon	2300	0200	Please give further details here (please read guidance note 3)	
Tue	2300	0200	Hot food and drinks provided from an extensive menu including when required including functions or events.	
Wed	2300	0200	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	2300	0200		
Fri	2300	0200	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)	
Sat	2300	0200	An additional hour to the standard and non-standard times on the day when British Summertime commences.	
Sun	2300	0200	New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day	

M

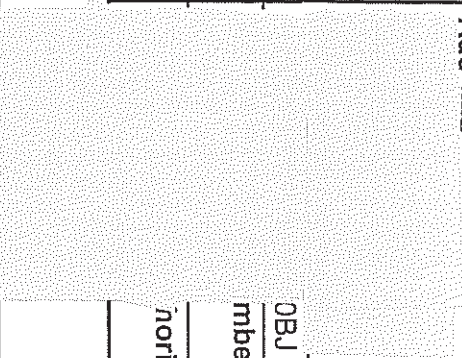
Supply of alcohol Standard days and timings (please read guidance note 6)		Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start		Finish	Off the premises
Mon	1000	0200	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Tue	1000	0200		
Wed	1000	0200		
Thur	1000	0200	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri	1000	0200	An additional hour to the standard and non-standard times on the day when British Summertime commences.	
Sat	1000	0200	New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day	
Sun	1000	0200		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

Lucy Herlihy

Address


OBJ
mber (if known)
nority (if known)

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

0

Hours premises are open to the public Standard days and timings (please read guidance note 6)		State any seasonal variations (please read guidance note 4)
Day	Start Finish	
Mon	1000 0230	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day</p>
Tue	1000 0230	
Wed	1000 0230	
Thur	1000 0230	
Fri	1000 0230	
Sat	1000 0230	
Sun	1000 0230	

P Describe the steps you intend to take to promote the four licensing objectives:

a) **General – all four licensing objectives (b,c,d,e)** (please read guidance note 9)

--

b) **The prevention of crime and disorder**

1. Where required by the police a text, pager or radio will be used to keep in contact with other premises in Cambridge.
2. Such text, pager or radio shall be kept in good working order and shall be monitored by a responsible member of staff
3. Relevant incidents of crime or disorder shall be reported to the police via the text, pager or radio
4. A Risk assessment will be carried out to determine the number of door staff who shall be on duty for each public opening.
5. A register of door staff will be maintained indicating the number of door staff on duty, their identity and the times they were on duty
6. No person who is drunk or disorderly will be allowed access to or be allowed to remain on the premises
7. No customer will be allowed to bring open or sealed bottles on to the premises
8. No person will be allowed to leave the premises with any bottle or glass except to go to the outside area.
9. CCTV shall be provided on the premises and shall be kept in good working order and any recordings from the CCTV shall be retained for a period of 30 days for internal cameras and 7 days for external cameras
10. A notice shall be displayed at the entrance to the premises that CCTV is in operation in the premises
11. The premises will be a member of any local pub watch scheme
12. An incident book will be kept at the premises in which will be recorded all incidents of crime and disorder. This book will be reviewed by senior management in association with the Designated Premises Supervisor

c) **Public safety**

1. There shall be a suitable number of adequately trained staff to prevent overcrowding in parts of the premises, keep exit routes clear and to ensure the safe evacuation of people from the premises. In the event of an emergency such staff will have been issued with specific duties in the event of an emergency.
2. A full Fire Risk Assessment including and Evacuation Plan will be prepared by the Premises Licence holder.
3. All staff shall have received training on the safe evacuation of the premises in the event of an emergency and such training shall be repeated at least annually. A record of the training provided shall be kept at the premises for at least 12 months and will be made available to the fire service or Council

d) **The prevention of public nuisance**

1. The applicant will adopt a bespoke dispersal policy for the premises and shall provide any of the responsible authorities with a copy of it if requested
2. Noise or vibration from the within the premises or from any plant machinery or equipment shall not emanate from the premises so as to cause a nuisance to any residential dwelling

e) The protection of children from harm

1. The Premises shall adopt a Challenge 21 Policy
2. All staff shall be trained to ensure that no person under the age of 18 years will be sold intoxicating liquor including the need for any person who looks under 18 to provide evidence of their age
3. Signs shall be displayed at the bar stating that any person who appears under the age of 18 will not be served with intoxicating liquor
4. Photographic driving licences, passports or in agreement with the police a form of identification with the PASS hologram will be used as evidence of anyone who appears to be under the age of 18

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	<i>Poppleston Allen</i>
Date	22 nd November 2010
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Nick Landells
37 Stoney Street
The Lace Market

Post town	Nottingham	Post code	NG1 1LS
------------------	------------	------------------	---------

Telephone number (if any)	0115 934 9170
----------------------------------	---------------

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
n.landells@popall.co.uk

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

"Copyright in this drawing remains with the architect. Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only. Check all dimensions on site. In case of any discrepancy, refer query to the architect."

KEY:-

Area to be used for the sale of alcohol, the provision of hot food and drink after 11pm and the provision of regulated entertainment.

EXIT Red - New equipment

Line of fire resistance

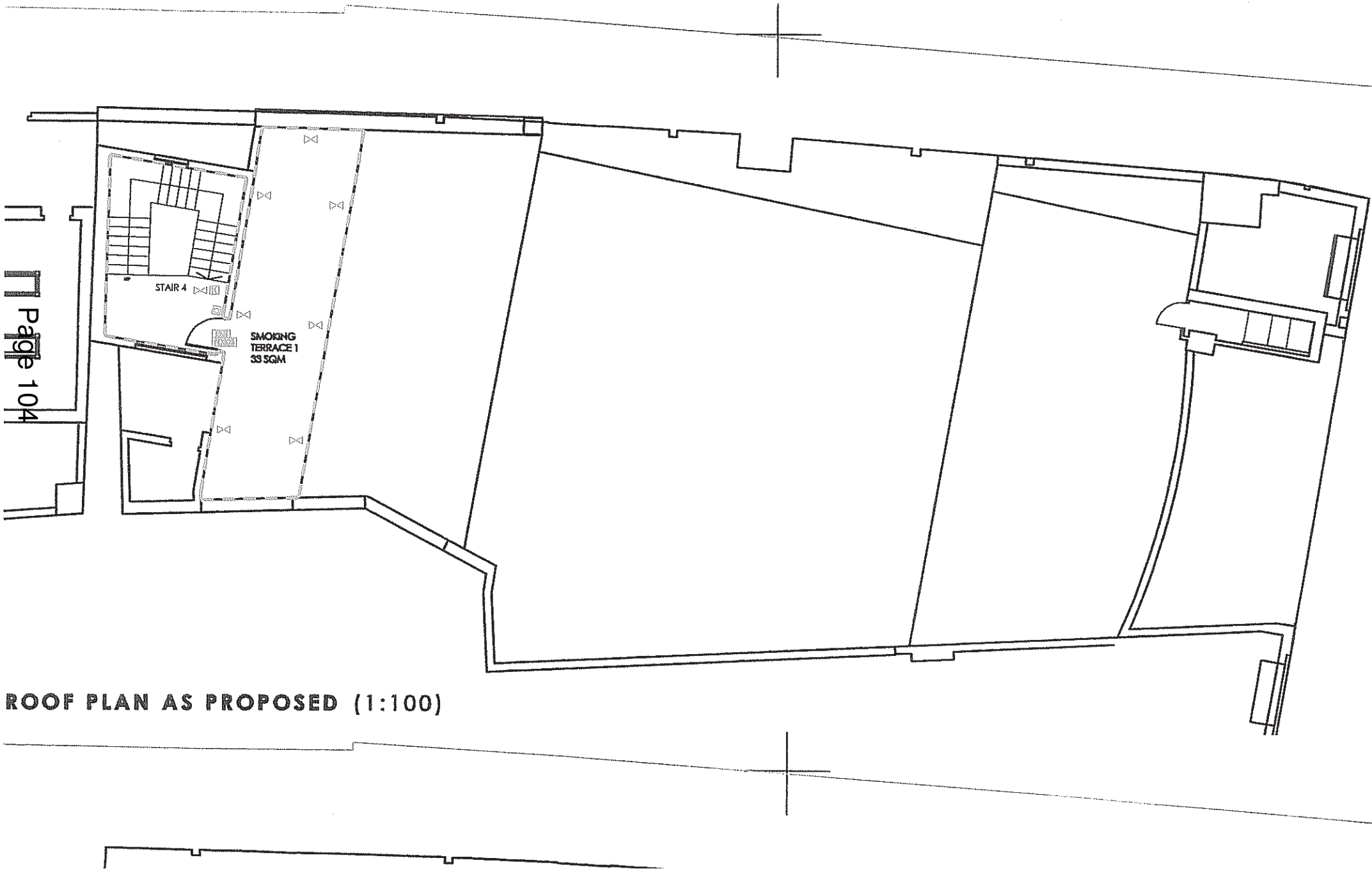
	Redcare line		1/2 hour fire res w/c door
	Break glass fire alarm point		1/2 hour fire res w/c door with r/seal
	Smoke detector		1 hour fr door
	Smoke detector/ 1st stage sounder	VP	Vision panel
	Heat detector		Fire action sign
	Heat detector/ 1st stage sounder		Fire door keep shut
	Combined smoke/ heat detector		Fire door keep locked
	Combined smoke/ heat detector		Gateway keep clear
	First stage sounder - LED		Fire exit keep clear
	First stage sounder - neon	PS	Push bar opening device
	Flashing beacon		Pull-cord distress alarm
	Voice evacuation sounder		Reset button for distress alarm
	Voice evacuation projection sounder		Heat-proof call point to distress alarm
	Interface		Indicator to distress alarm

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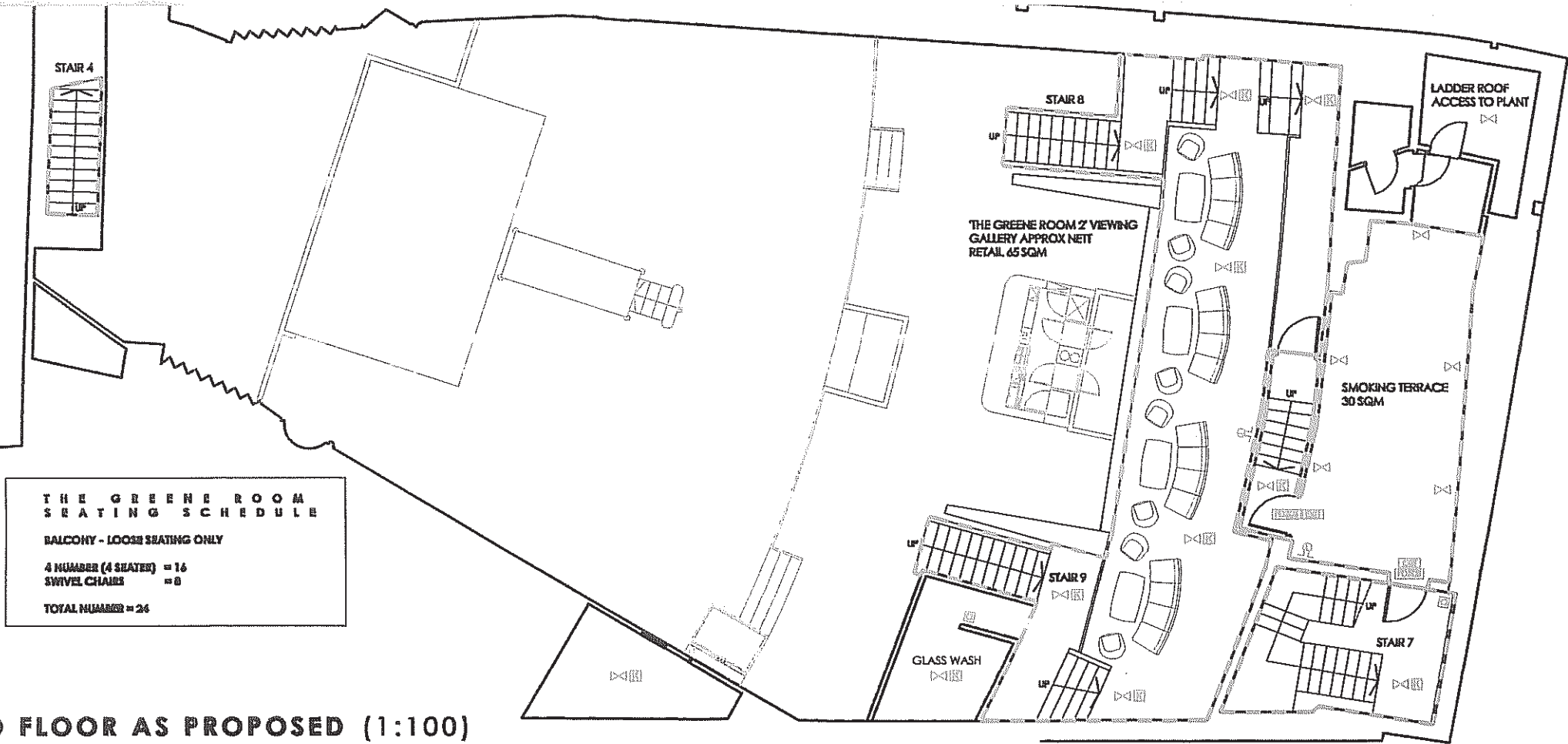
	Fire alarm panel		Foam Fire Extinguisher
	Fire alarm repeater panel		9L Water Fire Extinguisher
	Switches for emergency lighting		6L Hydropropyl Fire Extinguisher
	Backup battery unit for emergency lighting		Fire Blanket
	Emergency lighting luminaire		Dry Powder Fire Extinguisher
	Emergency/ cleaner's lighting luminaire		6L Wet Chemical (Fat Fighters) Fire Extinguisher
	Maintained emergency lighting luminaire		6L Multi purpose liquid AFFF
	Illuminated exit sign		2kg or 5kg Carbon Dioxide Fire Extinguisher
	Fire exit, exit or emergency exit notice		
	Notice suspended above head height 90° to escape route writing on approach side		
	Running man directional arrow provided, direction indicated		
	Remote mains fail indicator for the emergency lighting		

N.B. All signs and notices are to be provided and fixed by the General Contractor. All emergency exit signs and emergency fireaction signs to be provided and fixed by the Electrical Contractor, refer to the Fire Alarm and emergency lighting installation schedule for details of symbols, battery panels etc. etc.

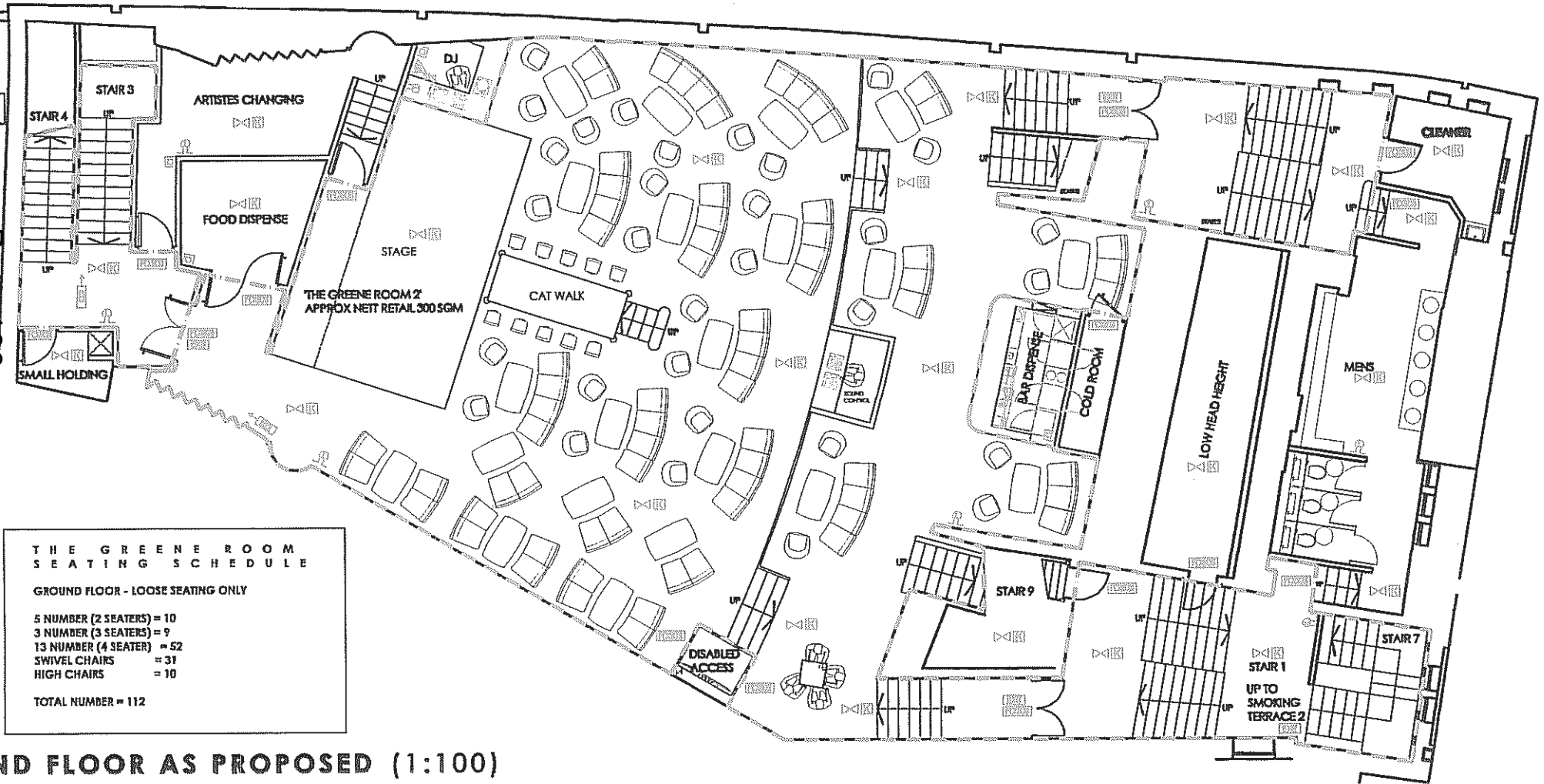
NOTE: ALL SYMBOLS AND POSITIONS SHOWN ON THESE PLANS ARE INDICATIVE ONLY, IT IS THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR IS TO LAISE DIRECTLY WITH THE FIRE OFFICER AND LOCAL AUTHORITY TO ENSURE ALL EMERGENCY LIGHTING AND FIRE SAFETY EQUIPMENT REQUIREMENTS ARE MET AND CERTIFICATE.



ROOF PLAN AS PROPOSED (1:100)



THIRD FLOOR AS PROPOSED (1:100)

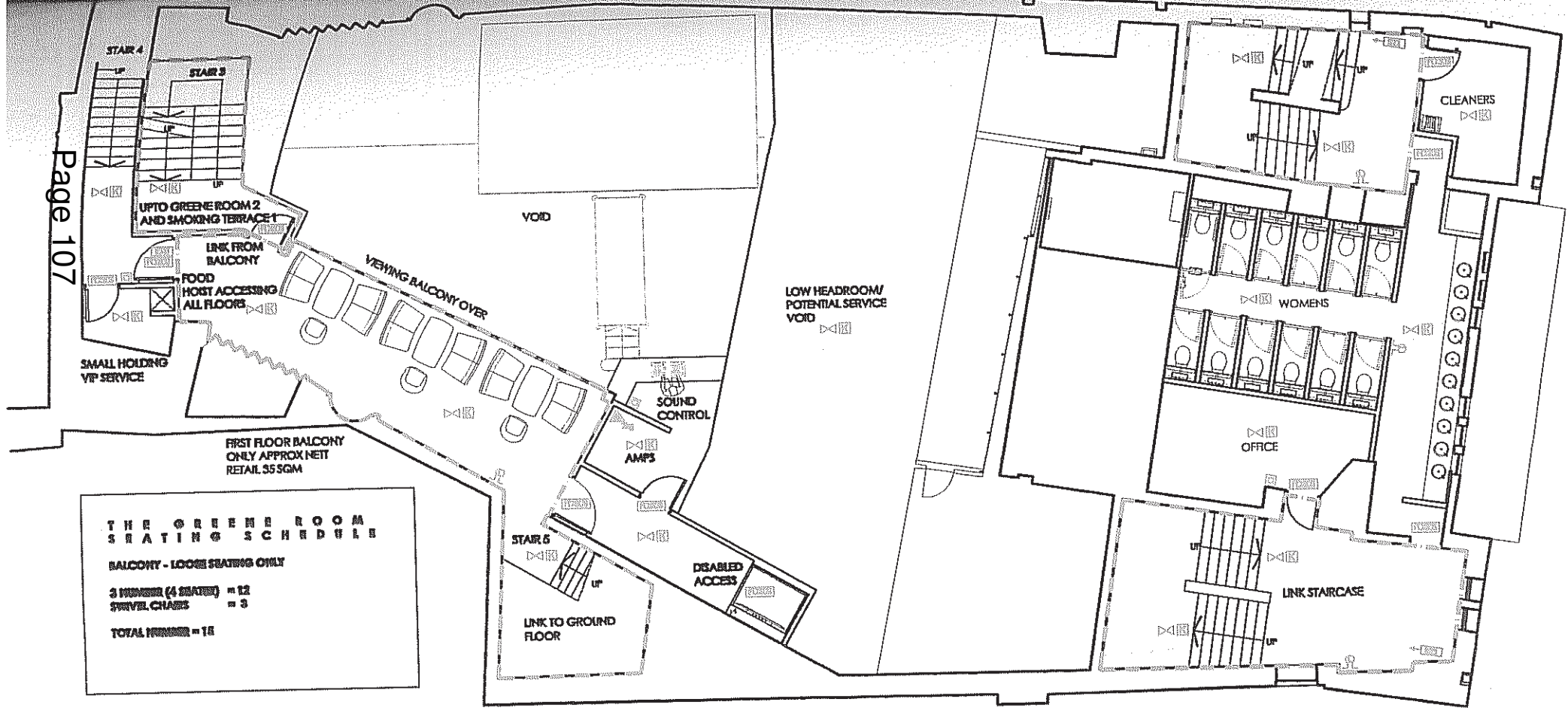


THE GREENE ROOM SEATING SCHEDULE

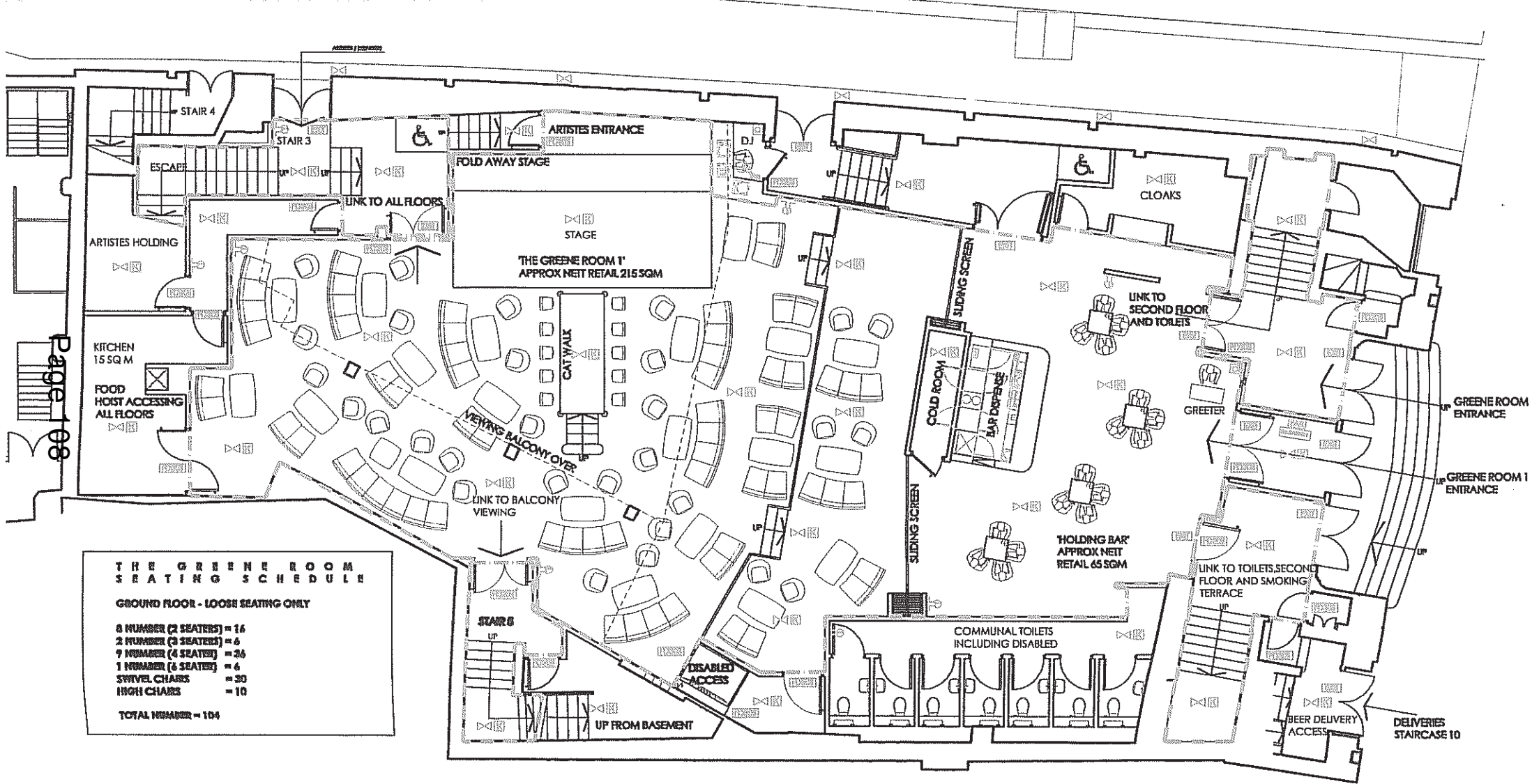
GROUND FLOOR - LOOSE SEATING ONLY

5 NUMBER (2 SEATERS)	= 10
3 NUMBER (3 SEATERS)	= 9
13 NUMBER (4 SEATER)	= 52
SWIVEL CHAIRS	= 31
HIGH CHAIRS	= 10
TOTAL NUMBER	= 112

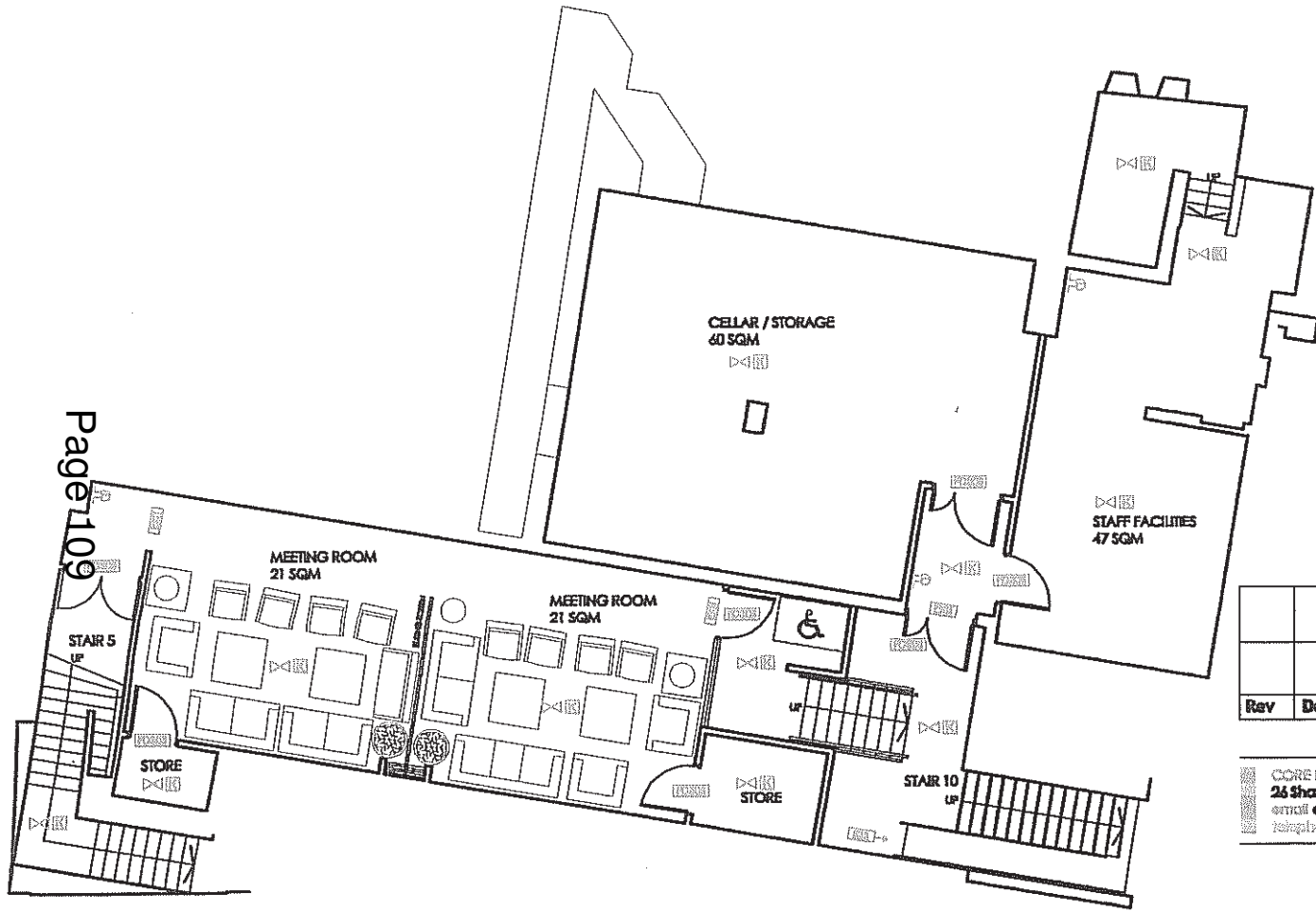
SECOND FLOOR AS PROPOSED (1:100)



IRST FLOOR AS PROPOSED (1:100)



ROUND FLOOR AS PROPOSED (1:100)



Rev	Description	By	Date

CORE DESIGN (UK) LIMITED
 26 Shaw Road Herton Moor Stockport SK4 4AE
 email: architects@core-design.net website: www.core-design.net
 telephone: 0161 443 4000 fax: 0161 443 4001

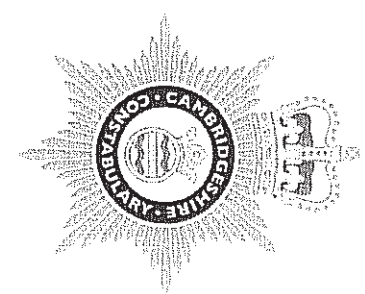


**PROPOSED GREENE ROOM,
 CAMBRIDGE FOR NO SAINTS LTD**

LICENSING PLANS AS PROPOSED

DRAWN	NM	DATE	04-11-10	DRAWING NO.
SCALE	1:100 @ A0	REV.		10155.03

BASEMENT FLOOR AS PROPOSED (1:100)



Creating a safer
Cambridgeshire

Licensing Officer
Cambridge City Council
4, Regent Street
Cambridge
CB2 1BY

21/12/2010

Dear Christine,

SUBJECT: Greene Rooms, 21 Hobson Street, Cambridge

Please find attached Police representation in regard to the application for variation to hours for the retail sale of alcohol. These representations are in regard to licensing objectives for Prevention Of Crime and Disorder, Public nuisance and Public Safety under Licensing Act 2003

Yours Sincerely



Pc60 Peter Sinclair
Divisional Licensing Officer
Southern Division
Parkside Police Station.

CC: Mr. Nick Landells Poppleston Allen Solicitors 37 Stoney Street, The Lace Market, Nottingham
NG1 1LS

CC: Mr. James Anderson Poppleston Allen Solicitors 37 Stoney Street, The Lace Market,
Nottingham NG1 1LS

**THE LICENSING ACT 2003
REPRESENTATION FORM FOR "RESPONSIBLE AUTHORITY"**

Please delete as applicable: **POLICE**

Your name	PC60 Peter Sinclair
Job Title	Licensing Officer, Southern Division
Postal Address (inc post code)	Police Station Parkside Cambridge CB1 1JG
Contact telephone number:	01223 823397
Mobile Number:	07738348577
Email address:	<u>Peter.sinclair@cambs.pnn.police.uk</u>

Name of Premises you are making a representation about:	Greene Rooms
Address of the premises you are making a representation about:	21, Hobson Street Cambridge CB1 1 NW

This section is about your representations. They must relate to one or more of the Licensing Objectives. Please detail the evidence supporting your representation, (under the relevant headings) and the reason for your representations. It is important that you detail all matters that you wish to be considered. (Use additional sheets if necessary). Regulations provide that in considering representations the authority may take into account documentary or other information produced by the party either before the hearing or, with the consent of all parties, at the hearing.

Which licensing objective(s) does your representation relate to?	Please see below
The prevention of crime and disorder	Public safety
See Below	See Below
The prevention of public nuisance	Protection Of Children from Harm
See Below	N/A

Signed .

P. Sinclair

Date: 21/12/2010

Prevention Of Crime & Disorder /Public Nuisance/ Public Safety

This venue is situated in Hobson Street a narrow thoroughfare in the very heart of the city. It exits from St. Andrews Street which is one of the busiest thoroughfares in the city and one with a high alcohol related incident and crime rate. The premises are also situated within the Market ward cumulative impact area.

The premises in question is the old Gala Bingo club the venue closed in 2009 after on line bingo and falling membership led to its demise. The premises operated a membership scheme due to the fact that it was registered under Part 4 of the then Gaming Act of 1968. This meant that entry was strictly controlled through the membership scheme and the public were not at liberty to walk into the venue off the street. It also operated for the purpose of 'playing bingo and ancillary games and the provision of social activities The maximum capacity set at the time was 700 but in truth it rarely achieved this number in recent years and as stated falling membership was a key factor in its closure plus the age profile of the majority of members was well beyond the intended use of this venue.

The City centre Market area still remains a busy hot spot area in relation to alcohol related crime and disorder. There have been hard won improvements in the area over several years but this is due to the fact that there has been a high level of police and partner activity and resources having been put into the area such as Operation Sodium patrols, Street pastors and taxi marshalling. Additionally it is our view that the fact there is an cumulative impact zone and its continued adoption has also contributed. The police do not want to see any of that good work undermined. This is of particular concern in the current climate of austerity measures were we may not be able to maintain the same level of commitment in that way in the future.

The police are concerned over a number of issues in relation to this application

- 1) The applicant has provided in their operating policy which in our view is fairly standard provisions that we would expect for a large city centre venue but no specific details to demonstrate how they propose to negate an increase in a negative impact other than adopting a bespoke dispersal policy.
- 2) The plans shows seating and tables for around 255, plus additional area for seating in the basement meeting rooms although it is not clear if they will be used in combination with the normal business of the venue. There is no indication at this stage of overall total capacity when standing, particularly if furniture can be removed an stowed away under the stage. This area could facilitate a large dancing /standing area fed by the bar areas when the sliding screens are pulled back. The proposed number of customers and any potential increase in numbers by creating a club style environment would also be likely to have a negative impact in the venue and outside.
- 3) If granted there will be an additional draw of people into the area particularly with the extended drinking hours for sale of alcohol which will increase the likelihood of further problems of disorder occurring in the venue and in this area .
- 4) It is inevitable that the doorstaff will need to react and deal with this increased number of intoxicated persons arriving from other venues in and intoxicated state attempting to gain entry and problems of crime and disorder, nuisance and public safety arising as a result of their entry being refused
- 5) This is already a tight pinch point area within the city, there is a likelihood of more problems occurring when the venue closes and 2.30 and the net effect of allowing 250 plus customers, possibly more, exiting the premises onto the street condensed in a relatively confined area and into surrounding passageways could lead further lead to problems occurring in the street and nearby vicinity adding to a negative impact.

Continued.....

- 6) The possibility of patrons "in drink" or inebriated leaving the venue and attempting to gain entry to adjacent premises that open later causing confrontation with staff and door staff
- 7) Depending on the numbers of persons exiting the area at a similar time it may also over burden the nearby city taxi ranks causing frustration and confrontation again adding to the cumulative impact in this area
- 8) Despite this being in the city centre there are a number of residential areas in close proximity to the venue where persons will be sleeping. With increased patrons attending the area on foot and in vehicles both coming to, dropping off, picking up and going from the premises and dispersing away from the venue there is a likelihood of disturbance of those residents in close proximity to the venue.
- 9) The police must also consider the effect long term should the applicant manage to secure a new licence for the venue, future pressure due to market forces could result in the venue morphing into something entirely different. Experience shows us that it would make it very difficult, over a period of time, to resist such modifications once a licence has been granted.
- 10) For the above reasons the Police view is that the venue providing and extending the sale of alcohol in the area would act as an additional draw to the area and issues will occur at the premises and in the vicinity of the premises. Given that the onus of demonstrating no negative impact falls on the applicant, it is difficult to see how they could ever, in practice, overcome this particular issue in relation to premises of this type, regardless of the procedures in place and the manner in which the premises are operated and it is LIKELY to add to the existing cumulative impact.

The grant of such a licence would have a negative cumulative impact and would result in adverse consequences for the prevention of crime and disorder.

The grant of such a licence would have a negative cumulative impact and would result in adverse consequences for the prevention of public nuisance.

The grant of such a licence would have a negative cumulative impact and would result in adverse consequences for the protection of public safety.

Furthermore the police believe that we would be failing in our obligation under Section 17 of The Crime and Disorder Act 1998 as amended when exercising functions to give due regard to the likely effect of the exercise of those functions on, and the need to do all that they reasonably can to prevent, crime, disorder anti-social and other behaviour adversely affecting the local environment, including the misuse of drugs, alcohol and other substances in its area.

Evidence adduced in support of such representations may comprise of, although not exclusively, first hand knowledge of officers involved in policing the area, statistical analysis of crime, disorder & incidents of anti social behaviour, as well as police records from the Command and control logs, police crime files, statements and/or CCTV footage.

In regard to Cumulative impact areas the guidance further states:

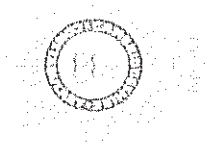
Effect of Special Policies

13.29 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for a new premises licence or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Signed



Date : 21/12/110



County of Cambridge
Cambridgeshire

1974-1975

Department of Reproduction by the Queen Mother of Pudding

Department of Reproduction by the Queen Mother of Pudding
The Department of Reproduction by the Queen Mother of Pudding
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LICENSING ACT 2003
ENVIRONMENTAL PROTECTION REPRESENTATION FORM

To: The Licensing Officer

From: Team Leader - Environmental Protection

Premises: Greene Room, 21 Hobson Street

Reference: WK/201015373

Comment:

The site is close to residential accommodation including Christ's College, which is opposite. Environmental Protection is concerned that noise break out from music and singing from the performances as well as from patrons gathering outside the premises and on the two smoking terraces, and the disposal of waste and recycling, will cause nuisance.

The applicant has advised Officers, at a site meeting, that a noise report has been prepared but this has not been received, to date.

At this stage Environmental Protection has insufficient information to determine the application or advise suitable conditions to prevent public nuisance. Environmental Protection therefore wishes to raise a **representation** and recommends that the application be **refused** under the prevention of public nuisance objective

Signed  Date 20 December 2010
Team Leader - Environmental Protection

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