

LICENSING COMMITTEE

28 February 2011
Times Not Specified

Present: Councillors Smith, Benstead and Znajak

FOR THE INFORMATION OF THE COUNCIL

6 To appoint a Chair for the meeting

The sub-committee resolved to appoint Cllr Smith as chair.

7 Declarations of Interest

There were no declarations of interest.

8 Licensing Sub-Committee Procedure

All parties noted the procedure.

9 Application to vary Premises licence : Calcutta Club, 44 Mill Road, Cambridge

Interested Parties

Cllr Lucy Walker
Mark Turney
Annette Heilbron

Officers

Christine Allison – Licensing Manager
Patricia Kaye – Licensing Enforcement Officer
Jane Connell – Solicitor
Martin Whelan – Committee Manager

The Licensing Manager presented her report and outlined the application. She stated that the Council, as the licensing authority had received an application

for a variation of the Premises Licence for the Calcutta Club, 44 Mill Road, Cambridge.

The Hearing was to consider a number interested party's representation. The Licensing Manager advised the Panel of the decision-making options available to them. The Sub-Committee were also advised the premises were located in a Cumulative Impact Area, but that no relevant representation had been received regarding cumulative impact therefore was not a consideration for this hearing.

It was noted that the applicant was not in attendance.

Interested Parties

Cllr Lucy Walker on behalf of Matthew Wilson and Mr Mark Turney addressed the sub-committee in objection to the application and made the following points

- i. The previous problems associated with the area to the rear of premises, specifically drug use, dumping of waste and anti social behaviour.
- ii. It was noted that the introduction of the gates had alleviated many of the problem, however it was explained that they were not often closed by the agreed time. The comments were noted, however it was agreed that the gates were not a licensing consideration.
- iii. Problems associated with rough sleeping and interference with deliveries to the Salvation Army was highlighted.
- iv. Significant concerns were raised about the potential consequences of the removal of condition 20 which currently required the back area to be fully enclosed.
- v. The potential detrimental effect on local businesses was highlighted.

The Sub-Committee requested clarification on the reference to "raids". Following discussion it was agreed that the references related to issues outside of the licensing framework, therefore were not relevant.

The Legal Officer and the Licensing Manager clarified the decision-making options available to the Sub-Committee.

The Sub-Committee asked the following questions regarding the application

- i. Does the request to remove certain conditions indicate that the previously agreed conditions hadn't been implemented? The Licensing Manager advised that the conditions had been introduced following a

summary review of the license in 2008, and that the proposals were designed to reflect the change of use from a pub to restaurant.

- ii. Clarification was requested on how often condition 13 relating to toughened glass was used. The Licensing Manager advised that the condition tended not to be offered by applicants.
- iii. Further clarification was requested on whether condition 13 related to glazing or glassware? Following discussion it was agreed that the condition related to glassware.
- iv. The Sub-Committee asked whether there was any evidence of drug dealing or distribution in the vicinity of the venue. The interested parties indicated that it was difficult to say but that the rear of the premises was potentially attractive for that purpose.

It was noted that there was no Police representation.

The interested parties were given an opportunity to sum up.

Resolved – The sub-committee resolved unanimously to approve the variation of the licence as outlined below,

1. To remove the following licensable activities:

The provision of live music, recorded music and the provision of facilities of a similar description (indoors)

2. To vary the hours that the premises are open as follows:

Monday – Thursday and Sunday 12:00 to 23:00

Friday and Saturday 12:00 to 00:00

3. To add the following three conditions:

1. Intoxicating liquor shall not be sold/supplied on the premises otherwise than to persons taking table meals there for consumption by such persons as ancillary to their meals.
2. The sale/supply of alcohol shall be by way of waiter/waitress service for consumption by those persons seated at tables as ancillary to a meal.
3. Substantial non-alcoholic beverages including drinking water shall be equally available for consumption with or otherwise as ancillary to meals served at the premises.

4. To remove the following conditions:

Annex 2 – special conditions 5 and 6

Annex 3 – conditions 6, 16 and 22

The sub-committee also resolved unanimously not to remove Annex 3 conditions 7,8,13,18 and 20

The Sub Committee decided that the proposed changes to timings and licensable activities meet the licensing objectives. The removal of certain conditions is proportionate to the premises' current activities.

The meeting ended at Time Not Specified

CHAIR