



## Cambridge City Council Licensing Sub Committee

**Date:** Monday, 29 October 2018

**Time:** 10.00 am

**Venue:** Committee Room 1 & 2, The Guildhall, Market Square, Cambridge, CB2 3QJ

**Contact:** [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk), tel:01223 457000

### Agenda

- 1 Appointment of a Chair
- 2 Declarations of Interest
- 3 Meeting Procedure
- 4 Tesco, Hills Road, Hearing Report (Pages 7 - 56)

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- Phone: 01223 457000

## Licensing Act 2003 - Licensing Sub-Committee: Hearings Procedure

### Preliminary Matters

1. **The Chair** will commence the hearing by introducing him/herself, the other two members of the Sub-Committee and the officers present.
2. **The Chair** will ask the applicant(s)/the responsible authorities/the interested parties present, and their representatives (if applicable), to introduce themselves and identify their interest in the proceedings.

### Failure of a party to attend the hearing

3. If a party has informed the licensing authority that he/she does not intend to attend or be represented at a hearing, the hearing may proceed in his/her absence.
4. If a party who has not so indicated fails to attend or be represented at a hearing, the Sub-Committee may –
  - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (b) hold the hearing in the party's absence.
5. Where the Sub-Committee holds the hearing in the absence of a party, the Sub-Committee will consider at the hearing the application, representations or notice made by that party.
6. **The Chair** will explain the procedure to be followed at the hearing and will confirm whether the Sub-Committee must reach its decision at the end of the hearing or within 5 working days of the hearing, depending on the application being heard.
7. **The Clerk to the Sub-Committee** will indicate whether any party has requested permission for any other person(s) (other than his/her representative) to appear at the hearing to assist the Sub-Committee in relation to the application, representations or notice of the party making the request. The Sub-Committee will decide whether to grant permission to allow any other person(s) to appear at the hearing on behalf of the party; such permission will not be unreasonably withheld.
8. **The Clerk to the Sub-Committee** will ask whether any party is seeking to introduce any document(s) or other information not previously disclosed to all the other parties to the hearing and the licensing authority. If all the other parties consent, the previously undisclosed document(s) or other information can be produced by a party in support of their application, representations or notice (as applicable).
9. The hearing will take the form of a discussion led by the Chair of the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers that cross-examination is required to

consider the representations, application or notice as the case may require.

10. The Sub-Committee will consider any requests to permit cross-examination on a case-by-case basis. When permission is given to one party, it will also normally be extended to all other parties.
11. The Sub-Committee will decide the equal maximum period of time that each party will have to present their case.

## The Hearing

12. *The Licensing Officer will present the report to the Sub-Committee.*
13. Members may ask any relevant questions of the Licensing Officer.
14. *The applicant, or the party who has initiated the hearing, will present their case first.*
15. The party shall be entitled to:
  - (a) give further information in support of their application, representations or notice (as applicable) in response to a specific request by the licensing authority prior to the hearing;
  - (b) question any other party (if permission has been given by the Sub-Committee);
  - (c) address the Sub-Committee.
16. If the Police are a party to the hearing, they will present their case. The Police have the rights listed in paragraph 15 (a) – (c) above.
17. If any other “responsible authority” are a party to the hearing, they will present their case in turn after the Police and have the rights listed in paragraph 15 (a) – (c) above.
18. Any other interested parties will then present their case in turn and have the rights listed in paragraph 15 (a) – (c) above.
19. Members of the Sub-Committee may ask questions of the/each party or any other person permitted to appear at the hearing in support of the party.
20. **The Chair** will invite the applicant, or the party who has initiated the hearing, and any parties making representations, to briefly summarise their points if they wish.
21. **The Chair** will ask the applicant, or the party who has initiated the hearing, and all parties making representations, that they are satisfied that they have said all they wish to.

## The Decision

22. In considering any representations or notice made by a party, the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

23. In reaching its decision, the Sub-Committee will disregard any information given by a party, or any person who has been permitted to appear at the hearing, which is not relevant to –
- (a) the application, representations or notice (as applicable) or in the case of another person, the application, representations or notice of the party requesting their appearance, and
  - (b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by the Police, the crime prevention objective.
24. The Sub-Committee may consider its decision in private and may move into private session where it considers that the public interest in so doing outweighs the public interest in that part of the hearing taking place in public. If the Sub-Committee do move into private session then all the parties and their representatives, any other person permitted to appear at the hearing, officers, the public and the press will be asked to leave the room whilst the decision is made.

**The Chair** will tell those present at the meeting the decision taken by the Sub-Committee and the reasons for the decision.

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### **CONSIDERATION OF AN APPLICATION TO VARY A PREMISES LICENCE Tesco, 29-33 Hills Road, Cambridge, CB2 1NW**

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**To: Licensing Sub Committee:**

**Report by: Karen O'Connor (Commercial and Licensing Manager)**

Tel: 01223 457083      Email: [karen.oconnor@cambridge.gov.uk](mailto:karen.oconnor@cambridge.gov.uk)

**Wards affected: All**

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#### **INTRODUCTION**

- 1.1 An application under section 34 of the Licensing Act 2003 to vary the Premises Licence issued in respect of Tesco 29-33 Hills Road, Cambridge, CB 2 1NW has been received from Tesco Licensing Team, 5 Falcon Way, Shire Park, Welwyn Garden City, Hertfordshire AL7 1TW. The application was served on Cambridge City Council (the Licensing Authority) on 4<sup>th</sup> September 2018. A copy of the application was also served on each responsible authority. The application is attached to the report at Appendix A and the current Premises Licence is attached to the report as Appendix B.

- 1.2 The applicant is seeking to vary the premises licence to extend the hours the store can sell alcohol to commence at 6:00 am instead of 8:00 am on Monday to Saturday and 10:00 am on a Sunday.
- 1.3 In accordance with the regulations of the Act, the application was advertised on the premises and in the Cambridge Independent to invite representations from responsible authorities and other persons. The last date for submitting representations was 3<sup>rd</sup> October 2018.
- 1.4 A representation was received from one other person attached to the report as Appendix C. No representations were received from any of the Responsible Authorities however Cambridge Constabulary agreed conditions with the applicant, which if the variation is granted would be added to the existing condition found at Annex 2 of the Premises Licence.
- 1.5 A copy of the conditions agreed between the applicant and Cambridge Constabulary are attached to this report as Appendix D. Members can add further condition to this list if so minded.
- 1.6 The application needs to be determined.

## **2. RECOMMENDATION**

- 2.1 That Members determine the application on its individual merits having reference to the statutory licensing objectives and Cambridge City Council's Statement of Licensing Policy.

## **3. BACKGROUND**

- 3.1 The premises are located within a cumulative impact area. It is therefore subject to a special policy on cumulative impact. The special policy creates a rebuttable presumption that applications within cumulative impact areas for any new premises licence or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received about the cumulative impact on the licensing objectives.
- 3.2 This is unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced. The Council's Statement of Licensing Policy contains



information on the cumulative impact. The section relating to cumulative impact has been taken from the policy and attached to the report as Appendix E.

- 3.3 The Premises Licence has been in effect since 20<sup>th</sup> September 2005. No complaints have been received since this date in regards to the operation of the premises licence.
- 3.4 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy and additionally the statutory guidance issued under Section 182 of the Licensing Act 2003. The relevant sections from the Council's Statement of Licensing Policy are:
- Objectives, section 2
  - Fundamental principles, section 4
  - Cumulative impact, section 5
  - Licensing Hours, section 6
  - Licence Conditions, section 8

#### **4. CONSULTATIONS**

- 4.1 The Licensing Act 2003 requires applications made under section 34 of the Act to be served on the Responsible Authorities and also advertised on the premises and in a local newspaper circulating within the vicinity of the premises. During the consultation period, Responsible Authorities and Other Persons (any individual, body or business entitled to make representations to licensing authorities) may make a representation in respect of the application.
- 4.2 Statutory consultation has therefore taken place with Responsible Authorities and interested parties in accordance with the procedures set out in the Licensing Act 2003 and associated regulations made under the Act.

#### **5. OPTIONS**

- 5.1 Whilst having reference to the information provided by the applicant and the information raised in the representation and also Cambridge City Council's Statement of Licensing Policy, 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.

5.2 Members should take such steps that they consider are necessary for the promotion of the licensing objectives. The Sub-Committee may resolve:

- (a) to grant the variation as applied for;
- (b) to modify the conditions of the licence
- (c) to reject the whole or part of the application

5.3 Members must give reasons for their decision.

## **6. CONCLUSIONS**

6.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote 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, and the Statutory Guidance under the Licensing Act 2003 and it 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.

## **7. IMPLICATIONS**

### **a) Financial Implications**

Cambridge City Council (the Licensing Authority) has a statutory duty to determine applications made under the Licensing Act 2003. The application fees associated with such applications are set by Central Government and are intended to cover the cost of administering the licensing regime.

There are no specific financial implications associated with this report.

(b) **Staffing Implications**

There are no staffing implications associated with this report.

(c) **Equal Opportunities Implications**

No Equality Impact Assessment has been conducted as the only consideration in reaching a decision is whether the granting of the application will undermine the statutory licensing objectives.

(d) **Environmental Implications**

Any environmental implications that need to be considered must specifically relate to the promotion of the statutory licensing objectives and will be contained in the representations made by the responsible authorities or interested parties.

(e) **Community Safety**

Cambridge Constabulary, Cambridgeshire Fire & Rescue Service, Cambridge City Council's Environmental Health Team, Cambridge City Council's Planning Service, Cambridgeshire County Council's Child Protection & Review Unit, Cambridgeshire County Council's Trading Standards Department and the Public Health Director were consulted as part of the application process and could have made representation if it was considered that the granting of the application would undermine one or more of the statutory licensing objectives.

Those making representations would have raised any relevant community safety implications.

**8. BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

[Licensing Act 2003](#)

[The Licensing Act 2003 \(Premises licences and club premises certificates\) Regulations 2005](#)

[Guidance issued under section 182 of the Licensing Act 2003](#)

[The Council's Statement of Licensing Policy](#)

**Appendix A** – Application Form  
**Appendix B** – Current Premises Licence  
**Appendix C** – Representation  
**Appendix D** – Conditions agreed between applicant and Police  
**Appendix E** – Section from Statement of Licensing Policy that deals with Cumulative Impact

To inspect these documents either view the above hyperlinks or contact Trish Kaye on extension 7667.

The author and contact officer for queries on the report is Trish Kaye on extension 7667.

Report file: M:\Commercial and Licensing\COMMITTEE REPORTS\Sub Committee\2018-19\Oct - Dec 2018\Tesco Hills Road

Date originated: 9<sup>th</sup> October 2018

Late updated: 9<sup>th</sup> October 2018



03/09/2017

Cambridge City Council  
The Licensing Authority  
Licensing, Refuse and Environment Service,  
Cambridge City Council,  
PO Box 700,  
Cambridge,  
CB1 0JH

Licensing Team

Tel: [REDACTED]  
Fax: [REDACTED]  
Email: [REDACTED]

### **Application to vary a Premises Licence under Licensing Act 2003**

*Tesco Stores Ltd, 29-33 Hill Road, Cambridge, CB2 1NW*

**Prem Reference Number:** PRECAM 000227

We wish to make an application to vary the Premises Licence for the above store under the Licensing Act 2003.

We duly enclose:

1. Application for a variation to the premises licence under the Licensing Act 2003
2. Copy of Tesco Stores Ltd's policy on the Provision of Portable Fire-Fighting Equipment.
3. Cheque for **£450**
4. Premises Licence

### **Application Form**

We have made our application in line with the legislation set out in the Licensing Act 2003 and its supporting regulations.

### **Responsible Authorities**

We confirm that a copy of this letter and the enclosed documents have today been sent to the Chief Officer of Police and all the relevant responsible authorities. If we have missed any of the Responsible Authorities off we would appreciate if you contact us immediately to allow us to rectify our mistake.

### **Advertisements**

We can also confirm that notices advertising the application to vary the licence will be placed in the store for the required period and in a local newspaper within the required time scale.

If you have any comments or queries regarding this application, please do not hesitate to contact us so that we can resolve any issues.

We appreciate that your department is under considerable pressure, but would be grateful if you would be kind enough to acknowledge safe receipt, either in writing to the address above, or via email to [REDACTED]

We thank you for your assistance in this matter.

Yours faithfully

[Redacted signature]

[Redacted name] *Licensing Manager – Tesco Stores Ltd.*

CC:

The Licensing Authority  
Licensing, Refuse and Environment Service,  
Cambridge City Council,  
PO Box 700,  
Cambridge,  
CB1 0JH

The Chief Officer of Police  
The Chief Officer, Cambridgeshire Constabulary, Southern Division,  
Police Station, Parkside, Cambridge, CB1 1JG  
Telephone: [Redacted]

The Fire Authority  
The Chief Fire Officer, Cambridgeshire Fire & Rescue Service,  
Cambridge Fire Station, Parkside, Cambridge, CB1 1JF,  
Attention: Licensing  
Telephone: [Redacted]

Health & Safety  
The Food & Occupational Safety Team,  
Refuse and Environment  
Service, Cambridge City Council,  
PO Box 700,  
Cambridge,  
CB1 0JH

Planning  
Environment & Planning, Cambridge City Council,  
The Guildhall,  
Cambridge,  
CB2 3QJ

Environmental Protection  
The Environmental Health Manager, Refuse and Environment Service,  
Cambridge City Council,  
PO Box 700,  
Cambridge,  
CB1 0JH

Child Protection  
Audit Manager,  
Child Protection and Review Unit, Licensing  
Applications,  
PO Box CC1010, Room C007, Castle Court,  
Shire Hall,  
Cambridge,  
CB3 0AP

Trading Standards  
Cambridgeshire County Council,  
PO Box 450,  
Cambridge City,  
CB3 6ZR

Local Authority Responsible for Public Health  
Head of Public Health Programmes  
Oak Tree Centre, Public Health  
G49, 1 Oak Drive, Huntingdon,  
Cambridgeshire,  
PE29 7HN



## Provision of Portable Fire-Fighting Equipment at Tesco Stores

### General

Portable fire extinguishers are provided as a means of first aid fire fighting equipment but should not be considered for use on a large fire or as an aid to escape. Their portability and immediate availability allows for prompt intervention by an individual at the start of a fire.

Therefore the suitability and location will dictate the types and quantity of fire fighting equipment that is required

### Suitability

#### Imprex Foam Extinguisher

The general purpose extinguisher deployed at Tesco stores is a 6 Litre foam (Imprex) extinguisher. It can be used on solid carbonaceous fires (Class A) involving fuels such as timber, paper, plastic etc or on flammable liquid fires, such as petrol or cooking oil (Class B).

A simple formula is used to calculate the minimum number of general purpose (class A) and (class B) extinguishes that should be provided:

$$\frac{\text{The gross floor area (metres)}}{27^*} \times 0.065 = \text{Number Class A extinguishers required (rounded up)}$$

(27 being the 'A' rating of the extinguisher)

$$\frac{\text{Largest volume of spill of flammable liquid (litres)}}{183^*} \times 10 = \text{Number of Class B extinguishers required}$$

(183 being the 'B' rating of the extinguisher)

#### Carbon Dioxide Extinguisher

These are provided by Tesco stores on fires involving live electric equipment. There is no guidance on the numbers required, however, due to widespread use of electrical equipment in Tesco stores, they are readily available in most areas

Additionally fire blankets are available in cooking areas.

### Location

A person should not travel more than 30 metres to reach a suitable fire extinguisher from any point within the store. Additional extinguishers (above those needed to achieve an 'A' rating) may need to be provided to meet this requirement, but this is unlikely due to the layout of most Tesco stores.

Where possible, extinguishers are located adjacent to fire alarm call points (which in turn are adjacent to fire exits) forming a fire point, where the alarm can be raised and a decision made whether to attempt to tackle the fire or flee through the exit.



### Allocation of Fire Fighting Equipment

AREA	6 LITRE AFFF	2kg CO2	FIRE BLANKET	8kg DRY POWDER	SAND BUCKET
Bakery	1	1	1		
Bake-off		1	1		
Boiler Rooms & Boiler Containers		1			
Cash Office		1			
CCTV		1			
Cleaner's Room		1			
Coffee Shop – Public Area		As per sales floor calculations*			
Coffee Shop – Preparation Area		1	1		
Corridors		As per calculations			
Customer Service Centre		1			
Electrical Intake		1			
FMC Room		1			
Generator Room/Container		1			
Hot Chicken Installation		1			
Lift Monitor Room		1			
Loading Dock Lobby		As per calculations			
Pharmacy		1			
Refrigeration Plant Room/ Containers		1			
Refrigeration Mezzanine Plant Platform		1			
Restaurant (kitchen)		1	1		
Restaurant (staff)		As per calculations			
Sales Area		As per calculations			
Staff Reception	1	1			
Stairs (for roof Plant)		1	1		
Sprinkler Valve/ Pump Room		1			
		1			
Tank Room & Container		1			
Training Room		1			
Warehouse/Bulk store		As per calculations			
<b>Petrol Filling stations</b>					
Sales Area		1	1		
Ancillary Area	1	1			
Forecourt		Two trolleys		4	4
<b>Express Filling Stations</b>					
Sales Area	1	1	1		
Ancillary Area	1	1			

\*Calculations: 1 fire extinguisher per 400m<sup>2</sup> based on 27A rating and 183B sales floor extinguishers sited adjacent to exits and below call points as appropriate.

### Allocation of Safety Signs and Notices

AREA	SIGN / NOTICE
Bakery and Bake-off Area	FIRE INSTRUCTIONS notice adjacent to break glass call point (b.g.c.p.)
Boiler Rooms & Boiler Containers	KEEP LOCKED SHUT
Clock Towers	FIRE INSTRUCTIONS notice adjacent to b.g.c.p.
Coffee Shop	FIRE INSTRUCTIONS notice adjacent to b.g.c.p.
Corridors	FIRE INSTRUCTIONS notice adjacent to b.g.c.p. KEEP CLEAR FIRE DOOR-KEEP CLEAR on both sides of all doors other than held-open
Customer Service Centre	FIRE INSTRUCTIONS notice adjacent telephone
Electrical Intake	KEEP LOCKED SHUT notice on external side of door
Electrically Held Open Fire Doors Linked into Fire Alarm System Exterior	AUTOMATIC DOOR KEEP CLEAR on opening face of doors EMERGENCY EXIT - PUCH HARD TO OPEN on rear of each gate FIRE EXIT sign on outside of all fire doors
Female Cloaks	NO SMOKING
Generator Room/ Container	KEEP LOCKED SHUT on external side of door
Kids Club	FIRE INSTRUCTIONS notice adjacent to b.g.c.p. FIRE EXIT - KEEP CLEAR notice on external side of door
Lift Monitor Room	KEEP LOCKED SHUT
Male Cloaks	NO SMOKING
Manager's Office	FIRE INSTRUCTIONS notice adjacent telephone
Plant Room/ Containers	KEEP LOCKED SHUT on external side of door
Restaurant (kitchen)	FIRE INSTRUCTIONS notice adjacent to b.g.c.p.
Restaurant (Staff)	FIRE INSTRUCTIONS notice adjacent to b.g.c.p.
Sales Area	FIRE EXIT sign above every fire exit TO FIRE EXIT sign above doors to protected corridors PUSH BAR TO OPEN above each set of push bars
Staff Reception	FIRE INSTRUCTIONS notice adjacent to b.g.c.p. FIRE INSTRUCTIONS notice adjacent telephone
Sprinkler Valve/ Pump Room on External Side if Door	SPRINKLER STOP VALVE INSIDE EXTERNAL VENTILATION CONTROL SWITCH INSIDE (if appropriate)
Warehouse/ Bulk Store	FIRE INSTRUCTIONS notice adjacent to b.g.c.p. Load level notices on lines on walls FIRE EXIT sign above every fire exit
Petrol/ Express Petrol Filling Stations Ancillary Area	FIRE INSTRUCTIONS notice adjacent to b.g.c.p. KEEP LOCKED SHUT on electrical intake FIRE EXIT above rear means of escape door PUSH BAR TO OPEN
Forecourt at tank fill points* at pumps#	Individual tank fill notices with grades PETROLIUM SPIRIT - HIGHLY FLAMABLE- NO SMOKING */# NO MOBLIE PHONES *

**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 Tesco Stores Ltd

*(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**

<b>Premises licence number</b> PRECAM 000227
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  29-33 Hills Road			
Post town	Cambridge	Postcode	CB2 1NW

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£100000

**Part 2 – Applicant details**

Daytime contact telephone number	██████████		
E-mail address (optional)	████████████████████		
Current postal address if different from premises address	Tesco House Shire Park Kestrel Way		
Post town	Welwyn Garden City	Postcode	AL7 1GA

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

Variation proposes to amend the hours the store can sell alcohol to:

06:00 – 23:00 **Monday to Sunday**

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:

0
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#### 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.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b> |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>          |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>          |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>          |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>          |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>          |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/>          |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>          |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>          |

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

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

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			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 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day    Start    Finish				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
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 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please <u>give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			State <u>any seasonal variations</u> for indoor <u>sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			Non standard <u>timings</u> . Where <u>you intend to use the premises</u> for <u>indoor sporting events</u> at different times to those listed in the <u>column on the left</u> , <u>please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			



D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the <u>boxing or wrestling</u> entertainment take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please <u>give further details here</u> (please read guidance note 5)		
Tue					
Wed			State <u>any seasonal variations for boxing or wrestling</u> entertainment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the <u>premises for boxing or wrestling</u> entertainment at different times to those listed in the column on the left, <u>please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both -- please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<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</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur					
Fri			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 7)		
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri					
Sat			<b><u>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</u></b> (please read guidance note 7)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
				<b>Please give further details here</b> (please read guidance note 5)	
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Wed					
Thur			<b>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</b> (please read guidance note 7)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)					
Mon	06:00	23:00						
Tue	06:00	23:00						
Wed	06:00	23:00						
Thur	06:00	23:00						
Fri	06:00	23:00						
Sat	06:00	23:00						
Sun	06:00	23:00						
						<b>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</b> (please read guidance note 7)		

K

<p><b>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</b> (please read guidance note 10).</p>
--

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	06:00	23:00	
Tue	06:00	23:00	
Wed	06:00	23:00	
Thur	06:00	23:00	
Fri	06:00	23:00	<b>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</b> (please read guidance note 7)
Sat	06:00	23:00	
Sun	06:00	23:00	

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.



Please tick as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.

**M** 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 and e) (please read guidance note 11)**

Tesco is a large national operator with a range of head office and local support. The company has devised policies, procedures, systems and training to ensure that they sell alcohol in a responsible manner.

There is a detailed training programme which ensures that comprehensive training is provided to employees having regard to their role and the responsibilities and such training is regularly reviewed and appropriate records kept.

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

The premises will have digital CCTV system that covers many areas of the shop floor, including the main area which will be used for display of alcohol, Images will be retained for a minimum of 21 days

A member of the Management team will ordinarily be on the premises all the time the store is open and person will have responsibility for the premises whilst the premises are open.

**c) Public safety**

The premises licence holder is fully aware of its responsibilities under a range of health and safety related legislation and has appropriate policies and procedures in place to be confident of complying with the relevant obligations which arise.

**d) The prevention of public nuisance**

The company has a "good neighbour" policy which seeks to ensure that the premises play an active part in the local community.

**e) The protection of children from harm**

The premises will operate a Think 25 policy. The checkouts will be programmed to prompt the checkout assistant when an alcohol product is scanned at the till to follow the Think 25 policy.

Colleagues will receive appropriate training both in relation to the underlying law and the Tesco policy, systems and procedures. This training will be documented and repeated as often as Tesco believes to be appropriate.

Checklist:

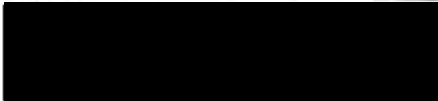

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	03/09/2018
Capacity	 Licensing Manager

**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 14). **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 15)

Licensing Team,  
Tesco Stores Limited,  
5 Falcon Way (Maldon),  
Shire Park

Post town	Welwyn Garden City	Post code	AL7 1TW
Telephone number (if any)			

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**  
Licensing.Team@uk.tesco.com



Part A

Licensing Act 2003  
Format of premises licence  
CAMBRIDGE CITY COUNCIL

Premises licence number **PRECAM 000227**

Part 1 – Premises details

Postal address of premises, or if none, Ordnance Survey map reference or description  
**Tesco Stores  
29-33 Hills Road**

Post town **Cambridge** Post code **CB2 1NW**  
Telephone number

Where the licence is time limited the dates  
**N/A**

Licensable activities authorised by the licence  
**Supply of Alcohol**

The times the licence authorises the carrying out of licensable activities			
Activity	Supply of Alcohol - Off the Premises		
Day	Times		
Sun	10:00	22:30	
Mon	08:00	23:00	
Tue	08:00	23:00	
Wed	08:00	23:00	
Thurs	08:00	23:00	
Fri	08:00	23:00	
Sat	08:00	23:00	
Non Std Timings & Seasonal Variations			

The opening hours of the premises			
Day	Times		
Sun			
Mon			
Tue			
Wed			
Thurs			
Fri			
Sat			
Non Std Timings & Seasonal Variations	<b>Hours not stated</b>		

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

## 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. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
(3) 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 either-
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
5. For the purposes of the condition set out in paragraph 4-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
  - (b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)

"valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).

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

**Licensed condition attached at hearing on 13 August 2012:**

**To grant the application to vary the layout of the premises to reflect the plan submitted with a limitation that the percentage of the total retail floor area, excluding the Post Office, devoted to the sale of alcohol will not exceed 5%.**

**Annex 4 - Plans**

**See attached**

This licence was granted on: 20<sup>th</sup> September 2005

This licence was varied on: 21<sup>st</sup> July 2012



Part B

Licensing Act 2003  
Premises licence summary



Premises licence number

PRECAM 000227

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**Tesco Stores  
29-33 Hills Road**

Post town

**Cambridge**

Post code

**CB2 1NW**

Telephone number

Where the licence is time limited the dates

**N/A**

Licensable activities authorised by the licence

**Supply of Alcohol**

The times the licence authorises the carrying out of licensable activities

Activity	Supply of Alcohol - Off the Premises			
Day	Times			
Sun	10:00	22:30		
Mon	08:00	23:00		
Tue	08:00	23:00		
Wed	08:00	23:00		
Thurs	08:00	23:00		
Fri	08:00	23:00		
Sat	08:00	23:00		
Non Std Timings & Seasonal Variations				

The opening hours of the premises

Day	Times			
Sun				
Mon				
Tue				
Wed				
Thurs				
Fri				
Sat				
Non Std Timings & Seasonal Variations		<b>Hours not stated</b>		

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

Name, (registered) address of holder of premises licence

**Tesco Stores Limited**  
**Tesco House**  
**Shire Park**  
**Kestrel Way**  
**Welwyn Garden City**  
**Hertfordshire**  
**AL7 1GA**

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

**02462858**

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

**Mr James Seamark**

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

This licence was granted on: 20<sup>th</sup> September 2005

This licence was varied on: 21<sup>st</sup> July 2012



**CAMBRIDGE**  
**CITY COUNCIL**



## LICENSING ACT 2003

### **NOTICE OF APPLICATION FOR VARIATION OF A PREMISES LICENCE**

Notice is given that we Tesco Stores Ltd have on the 5<sup>th</sup> September 2018 applied to Cambridge City Council as the Licensing Authority to vary the licence for the Tesco of 29-33 Hills Road, Cambridge, CB2 1NW.

The Variation proposes to extend the hours the store can sell alcohol to 06:00 – 23:00 Monday to Sunday.

Anyone wishing to make representations concerning this application should do so in writing to:

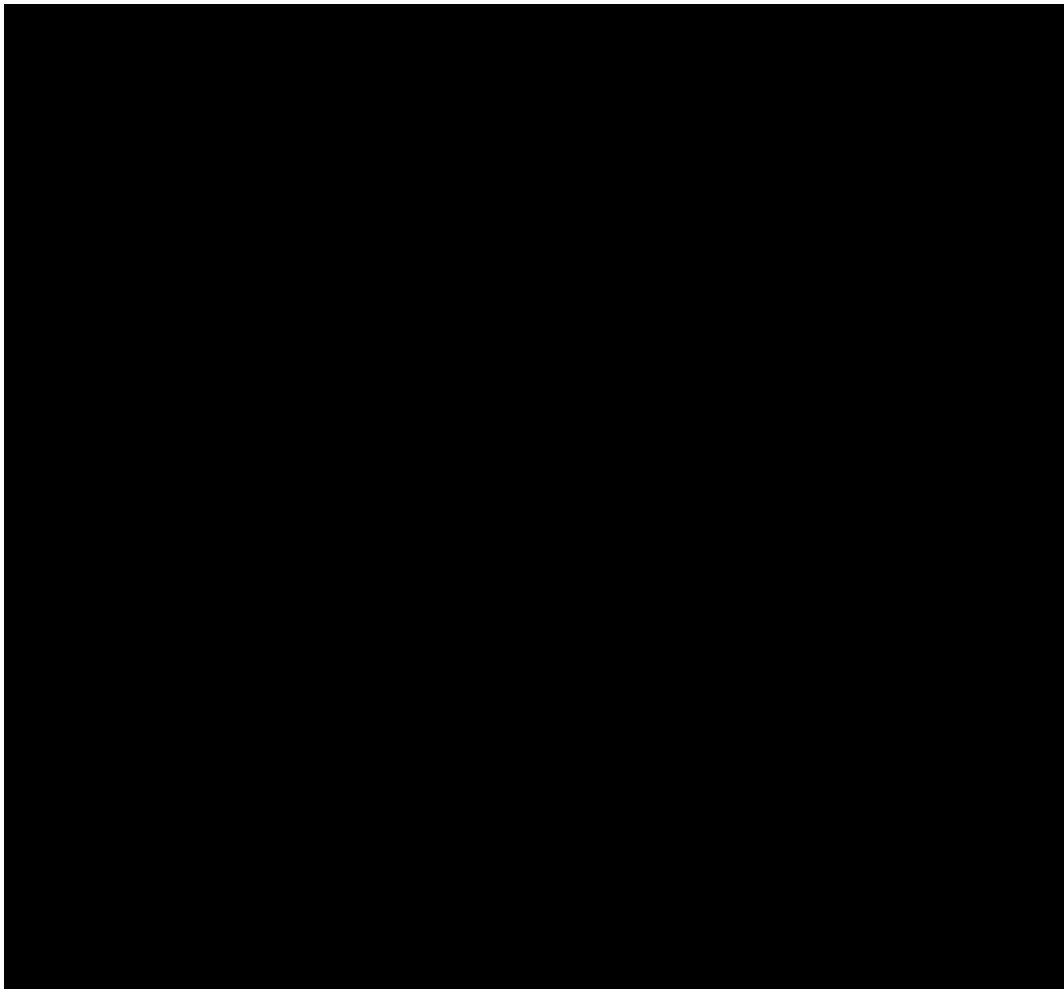
**The Licensing Section, Refuse & Environment Service, Cambridge city Council, PO Box 700, Cambridge, CB1 0JH or via the online Licensing Register at [www.cambridge.gov.uk/licences](http://www.cambridge.gov.uk/licences)**

**All representations will be published in full unless you advise that you wish your personal data to be removed prior to publication on the Cambridge City Council website.**

Representations in respect of this application must reach the Licensing Authority by 2<sup>nd</sup> October 2018.

Persons wishing to inspect the register or the record of this application may do so by attending the Customer Service Centre, Mandela House, 4, Regent Street, Cambridge, CB2 1BY, during office hours, Monday to Friday inclusive.

It is an offence knowingly or recklessly to make a false statement in connection with an application, the maximum fine for which on summary conviction is £5000.



Cashiers Office, Mandela House,  
4 Regent Street, Cambridge, CB2 1BY  
Email: [cashiers@cambridge.gov.uk](mailto:cashiers@cambridge.gov.uk)

Part A

Licensing Act 2003  
 Format of premises licence  
 CAMBRIDGE CITY COUNCIL



Premises licence number

**PRECAM 000227**

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**Tesco Stores  
 29-33 Hills Road**

Post town

**Cambridge**

Post code

**CB2 1NW**

Telephone number

Where the licence is time limited the dates

**N/A**

Licensable activities authorised by the licence

**Supply of Alcohol**

The times the licence authorises the carrying out of licensable activities

Activity	<b>Supply of Alcohol - Off the Premises</b>				
Day	Times				
Sun	<b>10:00</b>	<b>22:30</b>			
Mon	<b>08:00</b>	<b>23:00</b>			
Tue	<b>08:00</b>	<b>23:00</b>			
Wed	<b>08:00</b>	<b>23:00</b>			
Thurs	<b>08:00</b>	<b>23:00</b>			
Fri	<b>08:00</b>	<b>23:00</b>			
Sat	<b>08:00</b>	<b>23:00</b>			
Non Std Timings & Seasonal Variations					

The opening hours of the premises

Day	Times				
Sun					
Mon					
Tue					
Wed					
Thurs					
Fri					
Sat					
Non Std Timings & Seasonal Variations	<b>Hours not stated</b>				

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

**Off the premises**

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Tesco Stores Limited**  
**Tesco House**  
**Shire Park**  
**Kestrel Way**  
**Welwyn Garden City**  
**Hertfordshire**  
**AL7 1GA**

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

**02462858**

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

[REDACTED]  
[REDACTED]

**CAMBRIDGE**  
**CITY 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. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
(3) 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 either-
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
5. For the purposes of the condition set out in paragraph 4-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
  - (b) "permitted price" is the price found by applying the formula-  
$$P = D + (D \times V)$$
where-
    - (i) P is the permitted price,
    - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).

6. Where the permitted price given by Paragraph (b) of paragraph 5 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 5 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### Annex 2 - Conditions consistent with the operating schedule

1. Alcohol shall not be sold, supplied or taken from the premises except during permitted hours. In this condition, permitted hours means:

- a. On weekdays and Saturdays 08:00 to 23:00.
- b. On Sundays 10:00 to 22:30.

The above restrictions do not prohibit:

- (a) 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;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) 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.

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.

3. All training and revision/refresher materials shall be reviewed regularly and shall reflect the requirements of the Act.

The prevention of crime and disorder

-

Public Safety

-

The prevention of public nuisance

-

The protection of children from harm

The store shall comply with the Think 25 policy.

-

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

**Licensed condition attached at hearing on 13 August 2012:**

**To grant the application to vary the layout of the premises to reflect the plan submitted with a limitation that the percentage of the total retail floor area, excluding the Post Office, devoted to the sale of alcohol will not exceed 5%.**

-

**Annex 4 - Plans**

**See attached**

This licence was granted on: 20<sup>th</sup> September 2005

This licence was varied on: 21<sup>st</sup> July 2012



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**Patricia Kaye**

---

**From:** Richard Robertson  
**Sent:** 02 October 2018 16:30  
**To:** Paul Ryder  
**Subject:** Objection to amendment to Tesco Hills Rd premises licence

I wish to object to the proposal to change the hours of offsales of alcohol at Tesco 29-33 Hills Rd. The current licence restricts sales to 8am onwards each day and 10am onwards on Sundays and allowing sales before those hours is not appropriate.

There have been numerous reports of incidents of drink related anti-social behaviour in the vicinity of these premises this year and sales of alcohol in the early hours of each day is only going to exacerbate the problem. We need to do what we can to reduce incidents of public nuisance and disorder and reducing the possibilities for people to buy alcohol, get drunk and misbehave early in the day will help do that. A 6am start to sales should be resisted. 8am (10am on Sundays) should remain.

best regards

Richard  
Cllr Richard Robertson  
Petersfield ward

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## **Appendix D**

### **Conditions agreed between Applicant and Police**

1. A security officer to be on duty at the premises when it is considered necessary by the Licence Holder based on a risk assessment.
2. There shall be no sale of beer, lager or cider with an ABV content of 5.5% or above except for specialist branded premium priced products or products agreed by the Police.
3. The store will join Cambridge Business Against Crime and operate a CAMBAC radio (or any similar scheme which succeeds CAMBAC).
4. There shall be no self-service of spirits at the premises.
5. Alcohol shall not be stored or displayed within 3 metres of the entrance/exit to the premises.
6. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.

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## Appendix E

### Section from Statement of Licensing Policy in regards to Cumulative Impact

#### 5. The cumulative impact of a concentration of licensed premises

5.1 Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area e.g. the potential impact on crime and disorder or public nuisance.

5.2 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the Licensing Authority can take into account. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type of premises e.g., a pub, restaurant or hotel. The issue of 'need' is therefore primarily a matter for the market to decide and does not form part of this licensing policy statement.

5.3 The Licensing Authority can only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area is causing a cumulative impact on one or more of the licensing objectives. The Licensing Authority will keep the situation as to whether an area is nearing this point under review.

5.4 The absence of a special policy does not prevent any responsible authority or other person making representations on a new application for the grant or variation of a licence on the grounds that the premises will give rise to a detrimental cumulative impact on one or more of the licensing objectives in a particular area.

5.5 Following previous consultations and representations received by Cambridge Constabulary, the Licensing Authority has adopted a special policy on cumulative effect that remains in place.

5.6 In response to these representations the Licensing Authority has undertaken the following steps in considering whether to adopt a special policy on cumulative effect within this statement of licensing policy:

- Identified concern about crime and disorder or public nuisance
- Considered whether there is good evidence that crime and disorder are happening and are caused by customers of licensed premises and that the risk of cumulative impact is imminent
- Identified the boundaries of the areas where problems are occurring
- Consulted with those specified in section 5(3) of the Licensing Act 2003, on the proposal for a special policy in relation to new applications and variations to existing premises licences and club premises certificates and considered the outcome of the consultation

5.7 Having considered the available evidence and undertaken consultation, the Licensing Authority considers that it is appropriate and necessary to control cumulative impact. The Licensing Authority has adopted a special policy relating to cumulative impact to the areas set out in paragraph 5.8 below.

## **Special Policy on Cumulative Effect**

5.8 The Licensing Authority has adopted a special policy relating to cumulative impact in relation to the areas of the City:

- Within the city centre marked on the map at Appendix 1
- At the Cambridge Leisure Park marked on the map at Appendix 2.
- This area also includes the section of Cherry Hinton Road opposite the leisure park running from Hills Road to Clifton Road (both sides of the road).
- The entire length of Mill Road Cambridge (excluding Brookfields)
- The section of Hills Road running from the city to Purbeck Road (both sides of the road).

5.9 The evidence for this special policy has been supplied by Cambridge Constabulary on the grounds of Crime and Disorder and is set out in Appendix 3.

5.10 This special policy creates a rebuttable presumption that applications within the areas set out in paragraph 5.8 for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact 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.

5.11 Applicants will need to address the special policy issues in their operating schedules in order to rebut such a presumption.

5.12 Despite the presumption against grant, responsible authorities and/or other persons will still need to make a relevant representation before the Licensing Authority may lawfully consider giving effect to its special policy i.e. if no representation is received, the application must be granted (subject to such conditions as are consistent with the operating schedule and any mandatory conditions required by the Licensing Act 2003). Responsible authorities and other persons can make a written representation referring to information, which had been before the Licensing Authority when it developed its statement of licensing policy.

5.13 The Licensing Authority recognises that a special policy should never be absolute. The circumstances of each application will be considered properly and applications for licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence or certificate, the licensing authority will consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the Licensing Authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.

5.14 This special policy will not be used:

- as a ground for revoking an existing licence or certificate when representations are received about problems with those premises
- to justify rejecting applications to vary an existing licence or certificate except where those modifications are directly relevant to the policy (as would be the case with an

application to vary a licence with a view to increasing the capacity limits of the premises) and are strictly necessary for the promotion of the licensing objectives

- to include any provisions for a terminal hour in any particular area which might impose a fixed closing time akin to that under the

'permitted hours' provisions of the Licensing Act 1964

- to impose quotas - based on either the number of premises or the capacity of those premises - that restrict the consideration of any application on its individual merits or which seek to impose limitations on trading hours in particular areas. Quotas have no regard to individual characteristics of the premises concerned. Proper regard will be given to those differences and the differing impact they will have on the promotion of the licensing objectives

5.15 This special policy will be reviewed regularly to assess whether it is still needed or should be expanded

### **Other mechanisms for controlling cumulative impact**

5.16 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. However, there are other mechanisms, both within and outside the licensing regime, that are available for addressing such issues. For example:

- planning controls
- positive measures to create a safe and clean environment in partnership with local businesses, transport operators and others
- the provision of CCTV, ample taxi ranks, Cambridge BID and CAMBAC (Cambridge Business Against Crime).
- powers to designate parts of the city as places where alcohol may not be consumed publicly. There are currently 3 Public Spaces Protection Order's in place. These are Donkey Common, Mill Road Cemetery and Ditchburn Place.
- confiscation of alcohol from adults and children in designated areas
- police enforcement of the law with regard to disorder and anti-social behaviour, including the issuing of fixed penalty notices
- police powers to close some premises for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise
- the power of police, local businesses or residents to seek a review of the licence or certificate
- enforcement action against those selling alcohol to people who are drunk.

5.17 The above can be supplemented by other local initiatives that similarly address these problems, for example, through the Cambridge Community Safety Partnership in line with the strategic objectives for crime and disorder reduction within the City.

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