



Cambridge City Council Licensing Sub Committee

Date: Thursday, 14 May 2020

Time: 10.30 am

Venue: This is a virtual meeting and therefore there is no physical location for this meeting

[To view meeting click here](#)

To listen via audio - tel:+44 1223 737950 Conference ID: 135873395#

Contact: democratic.services@cambridge.gov.uk, tel:01223 457000

Agenda

- 1 Appointment of a Chair
- 2 Declarations of Interest
- 3 Meeting Procedure
- 4 Nath & Sons - Premises Licence Application (Pages 9 - 50)

Information for the public

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- Phone: 01223 457000

Licensing Act 2003 Sub-Committee

Virtual Hearings Procedure

1. Before the hearing

- To assist in the conduct of the remote hearing, all parties should submit by email to democratic.services@cambridge.gov.uk , written submissions no later than 24 hours before the hearing is due to start, summarising the points they wish to make at the hearing and the outstanding issues.
- All parties should notify the Licensing Officer how they will be joining the remote hearing (by video or audio conferencing). All parties should provide to the Licensing Officer no later than 48 hours before the hearing, their telephone number and/or email address. This is to allow for arrangements to be made to enable parties to join the remote hearing.
- All parties should log-in/dial-in to the remote meeting, 15 minutes before the start of the hearing in case of technical difficulties.
- The sub-committee will consider any requests from any of the parties to call witnesses. Any such requests must be submitted to the Licensing Officer at least two working days before the hearing. This is to enable arrangements to be made for witnesses to be able to join the hearing remotely should permission be granted

2. Virtual Meetings-introductory notes

- Questions will be asked at the conclusion of each party's submission. On the conclusion of each party's submission, the Chair will invite each sub-committee member in turn, whether they wish to ask a question/s. If any member of the sub-committee subsequently wishes to ask further questions, they should indicate this wish to the Chair by using the meeting chat function.
- When not speaking, all members and participants should mute their microphones.
- Any person behaving in a disruptive manner will be removed from the meeting. Such a person may, before the end of the hearing, submit to the authority in writing by email to democratic.services@cambridge.gov.uk, any information which they would have been entitled to give had they not been required to leave.

- In the event that the Chair or Clerk identifies a failure of the remote participation facility, a recess will be announced while the fault is addressed.
- If it is not possible to address the fault, the meeting will be adjourned until such time as it can be reconvened.

3. Preliminary

- The Chair will commence the hearing by introducing him/herself, the other two members of the Sub-Committee and the officers present.
- 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.
- The Chair will explain the procedure to be followed at the hearing.
- 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.
- 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).
- 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.
- 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.
- The Sub-Committee will decide the equal maximum period of time that each party will have to present their case.

4. Failure of a party to attend the hearing

- 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.
- 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.
- 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.

5. The Hearing

- The Licensing Officer will present the report to the Sub-Committee. Members may ask any relevant questions of the Licensing Officer.
- The applicant, or the party who has initiated the hearing, will present their case first.
- 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.
- If the Police are a party to the hearing, they will present their case. The Police have the rights listed in (a) – (c) above.
- 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 (a) – (c) above.
- Any other interested parties will then present their case in turn and have the rights listed in (a) – (c) above.
- 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.
- 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.
- 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.

6. Legal advice

Once all parties have presented their cases to the sub-committee, and the members of the sub-committee have no more questions for any of the parties, the Council's Legal Officer will be asked by the Chair, to outline any relevant legal guidance.

7. Decision-making

The Live Feed will be closed to allow the sub-committee to consider its decision in private. All attendees apart from the sub-committee members, Council's Legal Officer and Clerk, will be asked to leave the virtual meeting while the sub-committee considers its decision. The Council's Legal Officer and Clerk may remain in the meeting with the sub-committee members to advise where necessary and take notes of the decision.

The applicant and interested parties will be asked to remain on the virtual meeting for 15 minutes to allow the sub-committee to return to the virtual meeting to seek any clarifications or ask questions that they have.

8. The Decision

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.

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.

9. Notification of decision

A determination of the case will be made at the conclusion of the hearing and all parties will be notified of the decision in writing within 5 days and it will be published on the Democracy page of the Council website.

May 2020

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Agenda Item



CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED

**Nath and Sons UK Ltd., 34 Burleigh Street, Cambridge
CB1 1DG**

To: Licensing Sub-Committee:

Report by: Alex Beebe

Senior Technical Officer – Commercial & Licensing

Tel: 01223 457723

Email: alex.beebe@cambridge.gov.uk

Wards affected: Market

INTRODUCTION

- 1.1 An application under section 17 of the Licensing Act 2003 (the 'Act') for a Premises Licence to be granted in respect of Nath and Sons UK Ltd., 34 Burleigh Street, Cambridge CB1 1DG has been received from Mr Surinder Nath. The application was served on Cambridge City Council (the Licensing Authority) on 30th March 2020. A copy of the application was also served on each responsible authority. The application form is attached as Appendix 1 and a plan of the premises is attached as Appendix 2.
- 1.2 The applicant is seeking a Premises Licence to supply alcohol off the premises only between 10:00 and 20:00 Monday to Saturday and from 10:00 to 18:00 on Sundays. The applicant has outlined that the premises is a convenience store and that all alcohol would be situated behind the till area where only staff can access.
- 1.3 In accordance with the regulations of the Act the application was advertised on the premises and in a local newspaper to invite representations from responsible authorities and other persons. The last date for submitting representations was 27th April 2020.
- 1.4 Representations were received from two other persons: both were considered relevant. The first representation was dated 5th April 2020 and is attached as Appendix 3, the second page of which includes a response to the additional conditions agreed between the responsible authorities and the applicant. The second representation was dated 23rd April 2020 and is attached as Appendix 4.
- 1.5 No representations were received from any of the Responsible Authorities; however, Cambridgeshire Constabulary and Environmental Health agreed twenty conditions with the applicant to be attached to the licence should it be granted. These conditions relate to the promotion of the: 'prevention of crime and disorder', 'prevention of public nuisance' and 'protection of children from harm' licensing objectives. A list of the additional conditions agreed is attached to the report as Appendix 5.
- 1.6 The applicant also agreed with the Licensing Authority to move back the starting hour of alcohol sales by one hour as follows: 11:00 to

20:00 Monday to Saturday and 11:00 to 18:00 on Sundays. This change was made in response to the comments contained in the first representation.

1.7 The application needs to be determined.

2. RECOMMENDATION

2.1 Members must 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 the city centre 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 6. A map of the Cambridge city centre cumulative impact area is attached as Appendix 7.

3.3 The relevant sections from the Council's Statement of Licensing Policy are:

- Objectives, section 2
- Fundamental principles, section 4
- Licensing Hours, section 6
- Licence Conditions, section 8

4. CONSULTATIONS

- 4.1 The Licensing Act 2003 requires applications made under section 17 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 licence subject to the mandatory conditions and those conditions offered by the applicant which may be modified to such extent as the authority considers necessary for the promotion of the licensing objectives;
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) to refuse to specify a person in the licence as the premises supervisor;
 - (d) to reject the application.

5.3 Members must give reasons for their decision.

6. CONCLUSIONS

6.1 The Licensing Authority has a duty under the 'Act' 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](#)
- [Cambridge City Council – Statement of Licensing Policy](#)
- [Cambridge City Council – Guidance for Applicants](#)

Appendix 1 – Copy of application form

Appendix 2 – Plan of the premises

Appendix 3 – Representation dated 5th April 2020

Appendix 4 – Representation dated 23rd April 2020

Appendix 5 – Additional conditions agreed with responsible authorities

Appendix 6 – Cumulative Impact Policy

Appendix 7 – Map of the city centre cumulative impact area

To inspect these documents either view the above hyperlinks or contact Alex Beebe on (01223) 457723.

The author and contact officer for queries on the report is Alex Beebe on (01223) 457723.

Date originated: 27th April 2020

Late updated: 27th April 2020

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* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

surinder

* Family name

nath

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

10997473

Business name

nath and sons uk ltd

If your business is registered, use its registered name.

VAT number

- none

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="dd"/> / <input type="text" value="mm"/> / <input type="text" value="yyyy"/> dd mm yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)

[Right to work share code if not submitting scanned documents](#)

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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.

its a convenience store we will be putting alcohol behind the till where no one can reach except us

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="18:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

no additional days and time
thats the only time shop is open 10 till 8

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

we wont be going longer than 8pm

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

there is no entertainment as this is shop

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NO ADDITIONAL HOURS SHOP WILL BE OPENED FOR BUSINESS

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

we wont be opening longer than 8

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

FIRE EXIT / CCTV / OUTSIDE BINS / SAFTEY NOTICE

b) The prevention of crime and disorder

TARGET REMOVAL / REDUCING THE PAYROFF / ACCESS CONTROL / SURVEILLANCE / RULE SETTING / ALARM SYTEM / CCTV /

c) Public safety

FIRE SERVICES / HAZ-MAT / EMERGENCY MEDICAL SERVICES / RESCUE / POLICING /

d) The prevention of public nuisance

CONTROL OF LITTER WASTE AND STREET / NOISE CONTROL / LIGHT POLLUTION CONTROL / MANUAL HANDLING / SLIPS AND TRIPS /

e) The protection of children from harm

STRONG LANGUAGE / SEXUAL EXPLETIVES / ADULT ENTERTAINMENT / VIOLENCE /

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

The national scale of fees is set out below and also available on our website: <http://www.cambridge.gov.uk/ccm/content/ehws/licensing/fees.en> Please enter and pay the appropriate fee. If you are uncertain of the fee enter 0 in the amount field and the City Council will contact you to advise you of the fee. Please note the application will not be processed until the correct fee has been paid.

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

Continued from previous page...

DECLARATION

* I/we understand 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.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership]

* understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

* The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/cambridge/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

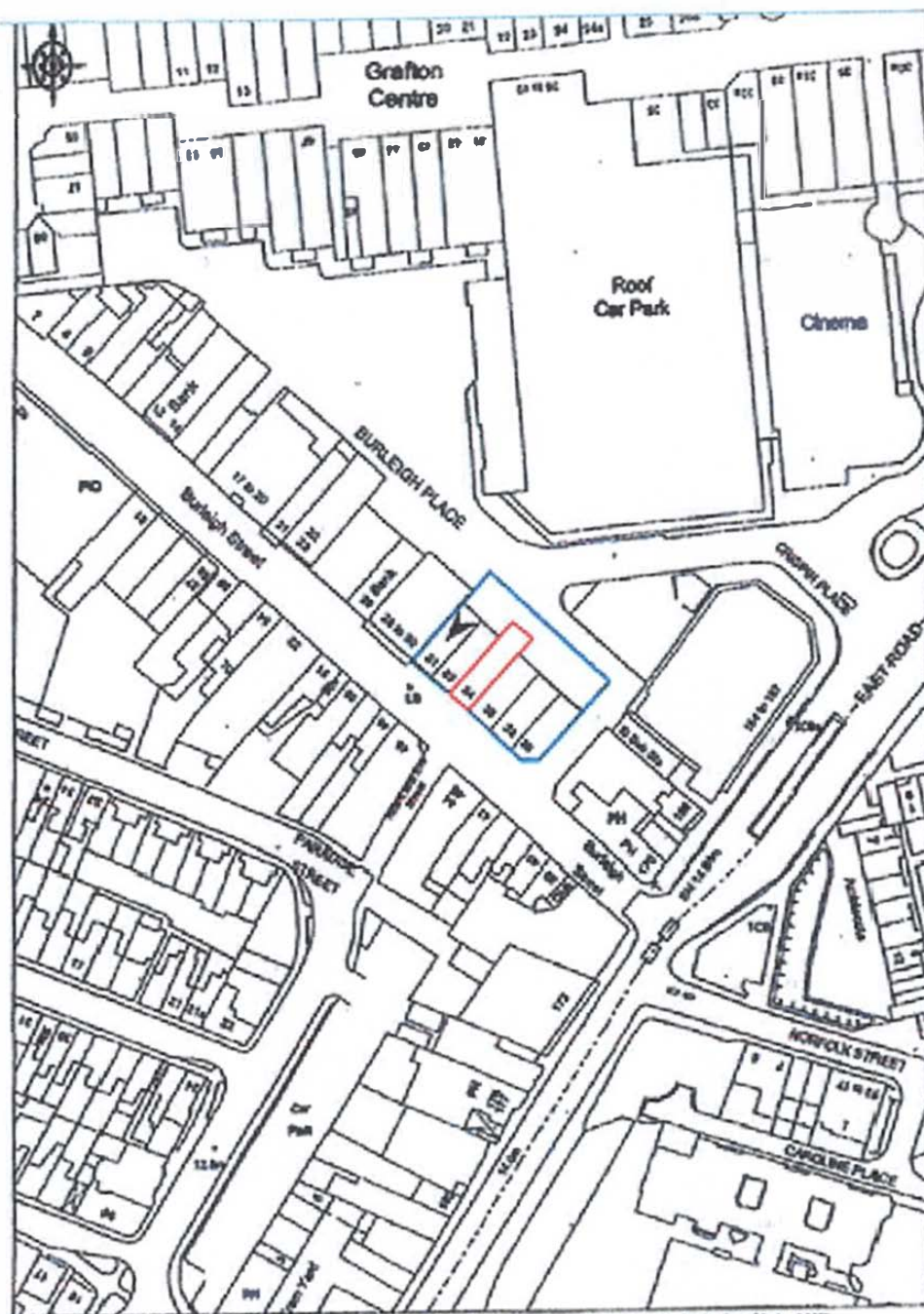
OFFICE USE ONLY

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Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
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Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
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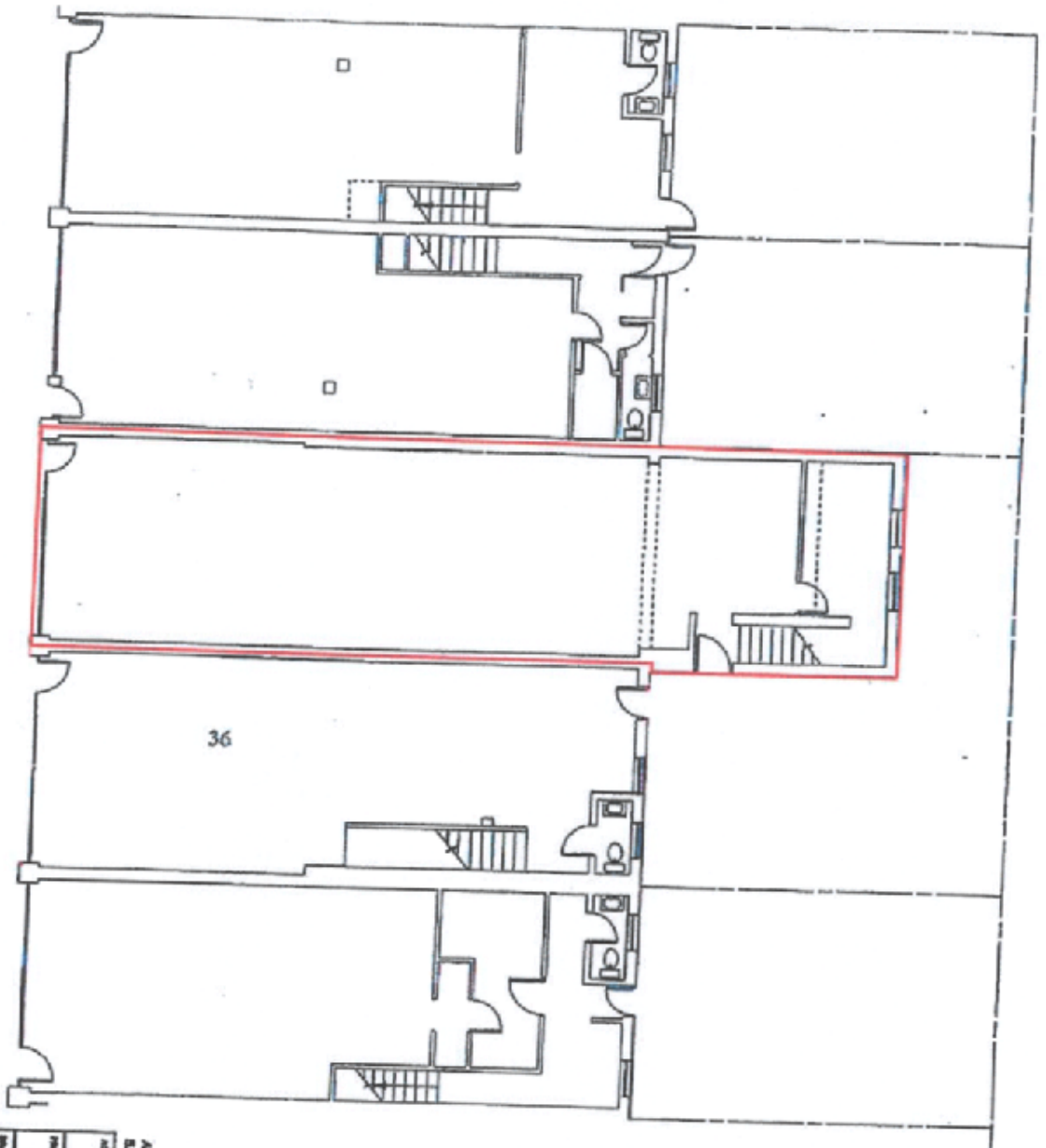
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 Ordnance Survey

PLAN 1

BURLEIGH STREET



AKH Associates
 575 Burleigh Street, Room 601A, 7181
 1-800-406-0043
 F. 5087 406 8373

31-39 Burleigh Street, Cambridge
 Project
 Lease plan

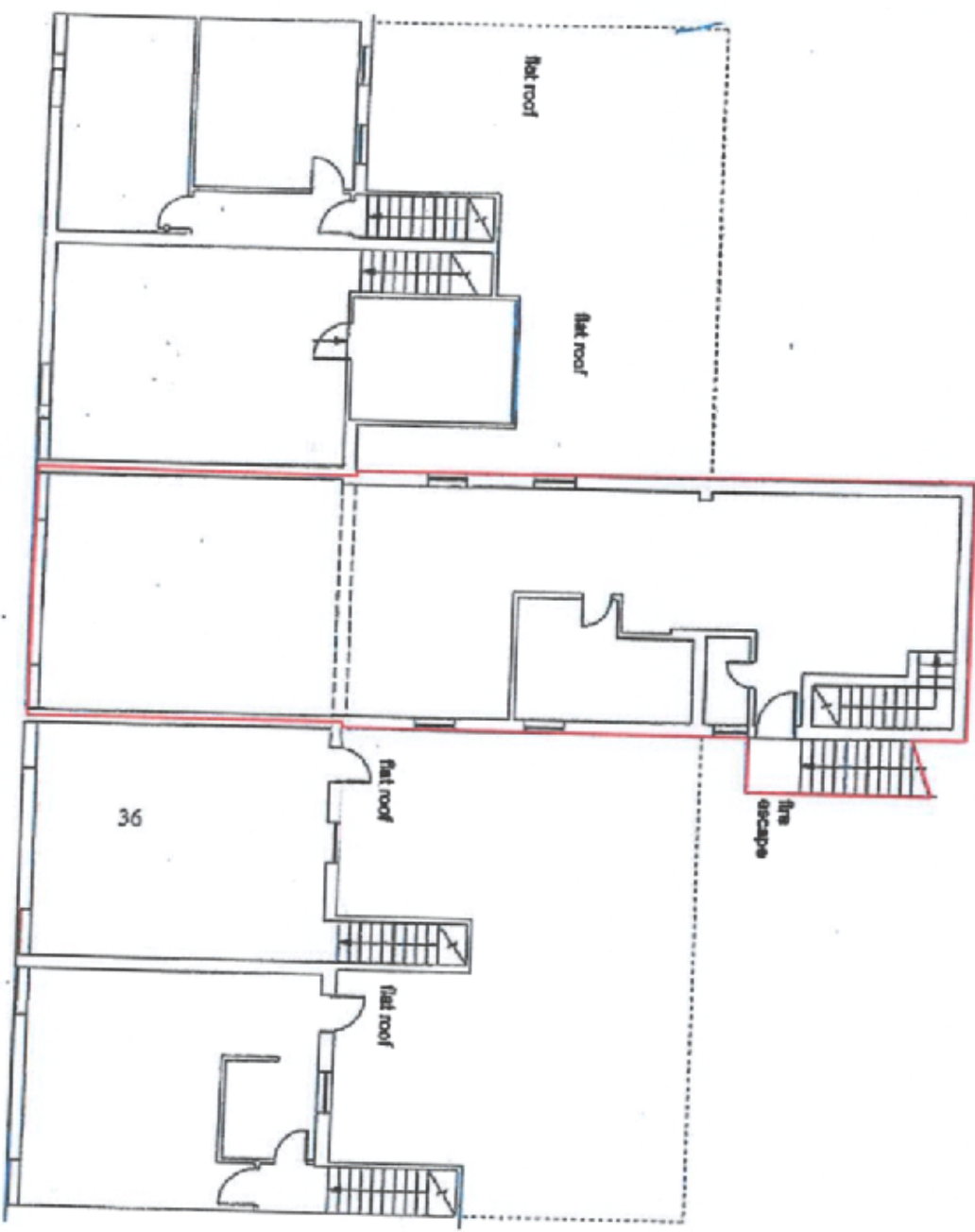
Drawn by	Checked by	Date
Ground floor	NTB	Sept 05
Scale		1:100

AA

PLAN 2

3/14/19 (19:55)

BURLEIGH STREET



36

the escape



PLAN 3

ARH Architects
 5/5, Bartholomew Place EC1A 7RH
 0207 406 0048
 0207 505 2573

31-39 Burleigh Street, Cambridge
 Address:

PROJECT	31-39 Burleigh Street, Cambridge		
DATE	1:100		
SCALE	1:100	DATE	Sept 05
PROJECT	First floor	REVISION	nTg
DATE	1:100	DATE	Sept 05
SCALE	1:100	DATE	Sept 05
PROJECT	First floor	REVISION	nTg
DATE	1:100	DATE	Sept 05

3/4/19 (19:55)

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From: Cllr Anthony Martinelli (Cambridge City - Market)
[REDACTED]

Sent: 05 April 2020 14:51

To: Taxi <taxi@cambridge.gov.uk>; licensing (CCity)
<licensing@cambridge.gov.uk>

Cc: [REDACTED]
[REDACTED]

Subject: Re: Licensing Act 2003 - Premises Licence Applications

Dear Colleague,

As a ward councillor, I wish to object to this new application for alcohol sales at this premises. I am concerned that selling alcohol here will increase public nuisance and risk crime/disorder.

This new licence is in the cumulative impact zone and it is not clear that this has been considered in the application. In particular the premises is located next to residential areas, as well as close to the historic city centre. This area is associated with begging and visible alcohol abuse, particularly linked to significant street-life related issues. I would expect the additional sale of alcohol here to drive further antisocial behaviour, alcohol-related crime and alcohol-related injury. This is not mentioned or addressed within the application and no plans are suggested that would in any way mitigate this.

The application also fails to mention any of the usual steps that would be taken to minimise the risk of inappropriate alcohol sales (e.g. Challenge 25 policy operation, staff training, incident book etc.).

Of the limited number of nearby premises that are able to sell alcohol - with many similar applications having previously been rejected outright - no shops operate before 11:00 as proposed here.

Whilst I appreciate that the COVID19 lockdown period means businesses are trying to adapt to changing circumstances, this is not a temporary application and therefore must be judged in the long-term interest of the area.

BW

Anthony Martinelli
City Councillor

From: Cllr Anthony Martinelli (Cambridge City - Market)

[REDACTED]

Sent: 26 April 2020 17:41

To: Alex Beebe

[REDACTED]

Cc: [REDACTED]
Subject: Re: Licensing Act 2003 - Premises Licence Applications (Nath and Sons UK Ltd, 34 Burleigh Street, Cambridge, Cambridgeshire, CB1 1DG)

Hi,

Yes I would like my representation to stand. Although the conditions agreed to are a positive step, this remains a proposal to sell additional alcohol in the CIZ and I do not think that is appropriate or in keeping with the rejection of previous similar applications on East Rd.

BW

Anthony Martinelli
City Councillor for Market Ward
Liberal Democrat Spokesperson - Climate Change, Environmental Services & City Centre

From: Cllr Tim Bick (Cambridge City - Market)
[REDACTED]

Sent: 23 April 2020 20:09

To: Taxi <taxi@cambridge.gov.uk>

Subject: Re: Licensing Act 2003 - Premises Licence Applications

As ward councillor, I would like to object to this application. The premises are located in a cumulative impact area, requiring the applicant to rebut the presumption that the application should be refused by demonstrating why the operation will not add to the cumulative impact. The application contains no such rebuttal and shows no awareness of the sensitivities of the area and should be rejected for that reason.

The vicinity of Burleigh Street and East Road suffers from anti-social behaviour arising from people living on the street. They are attracted by access to alcohol, either directly or indirectly, and begging is frequently a spin-off. This is unhelpful and counter-productive when located close to Jimmys, the city's sole assessment centre for rough sleepers, and is unpleasant for young children on the school run to St Matthew's Primary School. Any addition to the magnets already present would make this situation worse.

I believe that this application should be rejected on its own merits, but it must also be highlighted that approval of it would be starkly inconsistent with repeated refusals for off-sales licences by various applicants in this locality over recent years.

I do not consider the application of conditions, such as proposed by the Police, can change the argument that an additional outlet in this location should simply be rejected on the grounds of the cumulative impact.

Regards,

Cllr Tim Bick

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**LICENSING ACT 2003
ADDITIONAL CONDITIONS AGREED WITH RESPONSIBLE AUTHORITIES**

Premises: **Nath and Sons UK Ltd., 34 Burleigh Street, Cambridge CB1 1DG**

Prevention of crime and disorder

1. There shall be no self-service of alcohol at the premises, and alcohol to be displayed behind a secure counter, ensuring members of the public cannot easily access this area.
2. Digital CCTV with appropriate recording equipment shall be installed. The CCTV to cover areas of the store including the alcohol section behind the checkouts and the entrance and exit to the premises.
3. The CCTV system shall record footage when the premises is open for licensable activities.
4. CCTV equipment must be maintained in good working order, be correctly time and date stamped and must be retained for a minimum period of 31 consecutive days.
5. The CCTV at exit points will record a clear facial image of every person entering or exiting in any light condition.
6. An appointed member of staff will be present when the premises is conducting a licensable activity, who is capable and competent at using the CCTV system and downloading CCTV footage on their own recordable media, and be able to hand this footage over to the Police / Local Authority on request. The operator will stock their own downloaded media. The recording equipment and discs/USB pen drives must be kept in a secure environment.
7. A member of staff shall be present on the shop floor at all times when the premises is open to the public, and will be present in the checkout area when a member of the public is within the store.
8. The door to the shop will be fitted with an alarm system that notifies staff when the door is opened/closed.
9. 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.
10. The store will join Cambridge Business Against Crime and operate a CAMBAC radio (or any similar scheme which succeeds CAMBAC).
11. No customers carrying opened bottles of alcoholic drink upon entry shall be admitted to premises at any time they are open to the public.
12. No single cans or bottles of beer, lager, cider or spirit mixtures to be sold.
13. Sales area to be no more than 10% of premises to be used for alcohol.
14. Signage to be prominently displayed of times alcohol available.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City council or the police. It must be completed within 24 hours of the incident and will record the following:
 - Any faults in the CCTV system,
 - Any refusal of the sale of alcohol.
 - Any incidents of crime and disorder on the premises.

Prevention of public nuisance

16. Clear, prominent and legible notices shall be displayed at the exit requesting the public to respect the needs of the local residents and to leave the premises and area quietly.
17. Collections from and or deliveries to the premises, shall only take place between the hours of 07:00 and 23:00. This shall include the placing of waste, including bottles, into waste receptacles outside the premises and the emptying of waste receptacles outside the premises and the emptying of waste receptacles by a waste contractor.

Protection of children from harm

18. 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.
19. Ensure an appropriate and suitable, Nationally recognised, Age Verification/ Age Restricted Policy is adopted and is in place, which applies to the premises, in relation to the sale or supply of alcohol, such as the 'Challenge 25' Policy. Ensure clear and legible suitable notices are displayed.
20. Till prompts shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

In addition, the applicant has agreed to put back the sale of alcohol by one hour each day making the new hours: 11:00am to 8:00pm Monday to Saturday; and, 11:00am to 6:00pm on Sundays.

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

Section from Statement of Licensing Policy in regards to Cumulative Impact

- 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.

Section from Statement of Licensing Policy in regards to Cumulative Impact

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

Section from Statement of Licensing Policy in regards to Cumulative Impact

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

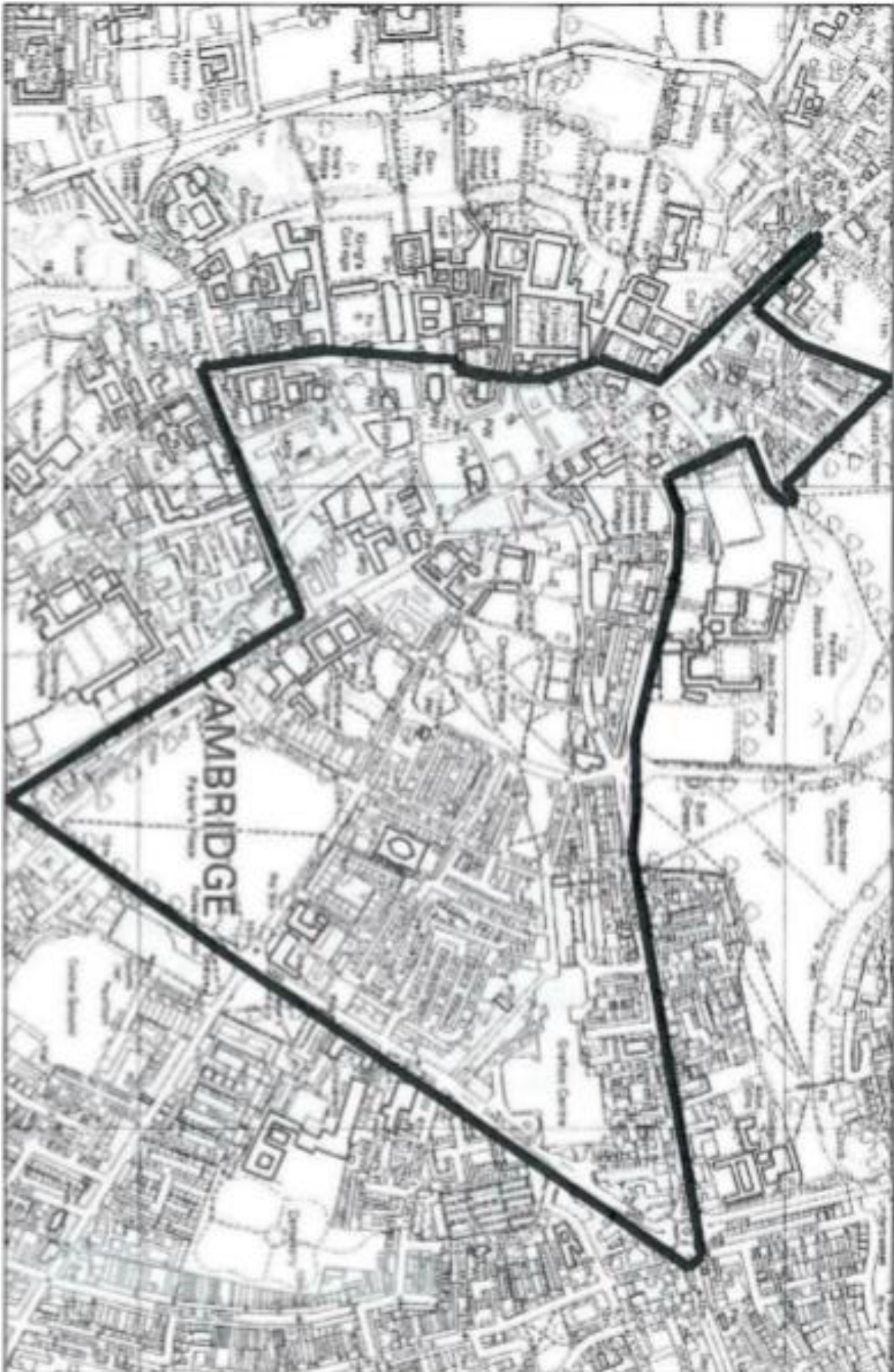
Other mechanisms for controlling cumulative impact

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.

Map of the Cambridge city centre cumulative impact area



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