



## Cambridge City Council Notice of Council

**Date:** Monday, 1 March 2021

**Time:** 6.30 pm

**Venue:** via Microsoft Teams

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

This meeting is the continuation of the adjourned meeting of Thursday 25 February 2021. The meeting will start from agenda item 7.

- 7 To consider the recommendations of Committees for adoption
- 7a Civic Affairs: Pay Policy Statement 2021/22 (Pages 7 - 22)
- 7b Civic Affairs: Member Allowances - review by the Independent Remuneration Panel (Pages 23 - 32)
- 7c Licensing Committee: Statement of Licensing Policy (Pages 33 - 108)
- 7d Licensing Committee: Cumulative Impact Assessment (Pages 109 - 194)
- 8 To deal with oral questions
- 9 To consider the following notices of motion, notice of which has been given by:
- 9a Councillor Bick: The future of Cambridge city centre

Council is aware of the large structural changes in the retail sector occurring during the pandemic, both reflecting and accelerating the trend towards online shopping, and that recent bankruptcies impact a significant proportion of retail space in Cambridge city centre;

Council believes that this has the potential for profound impact not only on the precious environment in the centre itself but also on the economic and social contribution it makes to the whole of our city and beyond; that this represents a challenge beyond straight-forward bounce-back recovery; and that it is therefore timely and opportune to

start a conversation to take stock of the centre's recent evolution and to re-imagine it for the future, using a placemaking approach in the public interest.

It resolves that the council, as the city's representative body and, with its key roles in planning, streets & open spaces and commercial property ownership, should lead this process, working with partners and stakeholders and involving the public: the broad aim of the exercise to maintain the city centre as a destination of vitality and jobs for local people, and of hospitality to its many visitors, in a way which complements its identity as historic university city encircled by public open spaces and residential areas and growing city quarters with neighbourhood centres of their own.

In the process it urges consideration of:

- means of facilitating a larger and much stronger range of local independent shops, including start-ups, making the centre a destination for retail that is genuinely differentiated from elsewhere and what is online
- ensuring a secure future for a thriving, popular 7-day market which works for customers and traders
- the changing nature of physical retail for ongoing high street businesses, in particular the key anchor presences
- the demand for co-working spaces which builds on remote and flexible working trends outside the home, which seem likely to have a post pandemic legacy
- the role that a larger arts and culture offering might play
- the importance of conserving the city's heritage
- developing a pipeline of public realm schemes such as the market square, available to capitalise on the likely availability of government funding for city centre improvements
- faster development of improved public transport access and cycle parking and completion of the traffic-free goal envisaged in our "Making space for People" process
- the need for continued strong challenge to national planning policy proposals under which even more switches between use classes may become 'permitted development' and therefore beyond local planning policy and control.

Council requests the Chief Executive to bring an initial report to the July meeting of Strategy & Resources Scrutiny Committee on how the council can most effectively start to take this matter forward.

9b Councillor Massey: Domestic Abuse in the

## Workplace

As an organisation Cambridge City Council is committed to the Work to Stop Domestic Abuse campaign. Cambridge City Council fully recognise that for many people, the workplace is not just a vital source of independent income but can also be a source of support, which enables staff to be safe at home and at work. Much has been done by the Council to date, however the GMB has recently introduced a Charter which identifies good practice, and now is the time to review our practice using the Charter as a model.

Everyone has a responsibility to end domestic abuse and as an organisation, Cambridge City Council will commit to the following actions:

- Train managers how to best support staff members experiencing domestic abuse
- Ensure that all staff have access to a domestic abuse in a workplace toolkit
- Every staff member will have access to our workplace policy, and we will actively take steps to ensure it is adhered to.
- Commit to reviewing our existing Policy by May 2021 and monitoring the amended policy on a regular basis
- Display domestic abuse national and local support/advice in workplaces across the organisation
- Sign up to GMB Union's 'Work to Stop Domestic Abuse' Charter.

### 9c Councillor Payne: Young Carers' Action Day

Council commends the young people in Cambridge who selflessly provide care for others.

#### **Council notes that:**

- Recent research shows that one in five secondary school children may be a young carer. For many, their caring journey begins at a much younger age and can continue past 18.
- Caring for someone can be isolating, worrying and stressful. For young carers, this can negatively impact on their experiences and outcomes in education, having a lasting effect on their life chances.
- Each year, The Carers Trust has organised a Young Carers' Action

Awareness Day. In 2021 this will be renamed Young Carers' Action Day and marked on March 16.

- The purpose of the day is to raise public awareness of the challenges faced by young people and young adults because of their caring role, and to campaign for greater support for young carers to meet their needs.

**Council resolves to:**

- Promote Young Carers Action Day as widely as possible on an annual basis, where possible particularly to young carers and their families.
- To use the Spring edition of 'Cambridge Matters' to promote awareness of the valuable work of Centre 33 in supporting Young Carers.
- To work with local businesses and higher and further education providers around Cambridge to promote awareness of young carers and to encourage them to work with The Carers' Trust to promote opportunities and support for this group of people.
- Write to the County Council to express our willingness to form a partner alongside them, in their All Age Carers Strategy, when it is reviewed in 2022.

10 Written questions

No discussion will take place on this item. Members will be asked to note the written questions and answers document as circulated around the Chamber.

## Information for the public

Details how to observe the Committee meeting will be published no later than 24 hours before the meeting.

Members of the public are welcome to view the live stream of this meeting, except during the consideration of exempt or confidential items, by following the link to be published on the Council's website.

Any person who participates in the meeting in accordance with the Council's public speaking time, is deemed to have consented to being recorded and to the use of those images (where participating via video conference) and/or sound recordings for webcast purposes. When speaking, members of the public should not disclose any personal information of any individual as this might infringe the rights of that individual and breach the Data Protection Act.

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- Website: <http://democracy.cambridge.gov.uk>
- Email: [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk)
- Phone: 01223 457000

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## CIVIC AFFAIRS

**27 January 2021**

5.30 - 6.15 pm

**Present:** Councillors Sargeant (Chair), Davey (Vice-Chair), Chadwick, Dalzell, O'Reilly and Thornburrow

<b>FOR ADOPTION BY THE COUNCIL</b>
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### **20/6/Civ Draft Pay Policy Statement 2021/22**

**Resolved** (unanimously) to recommend to Council:

- i. the draft Pay Policy Statement 2021/22 attached as Appendix 1 of the Officer's report.
- ii. to delegate authority to the Head of Human Resources to update the Pay Policy Statement 2021/22 should a chief executive and/or chief officer and/or NJC pay award be agreed.

The Committee also unanimously agreed:

- iii. Note that a review of senior officer salaries is now scheduled for late 2021.
- iv. Note the position in relation to the £95k Exit Cap regulations and potential changes to the Local Government Pension Scheme (LGPS) which may require changes to the Pay Policy and Pensions Discretions Statements in 2021.

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Item

**Draft Pay Policy Statement 2021/22**

**To:**

Civic Affairs - 27 January 2020

**Report by:**

Deborah Simpson, Head of Human Resources

Tel: 01223 458101 Email: Deborah.Simpson@cambridge.gov.uk

**Wards affected:**

All

**Open**

**1. Introduction**

- 1.1 This report sets out a draft pay policy statement as required under the Localism Act. The Localism Act requires the Council to have considered, approved and published a pay policy statement for each financial year. This must be approved by Full Council and be in place by 31<sup>st</sup> March each year.
- 1.2 The pay policy statement covers posts designated 'chief officer'. For Cambridge City Council this includes the chief executive, strategic directors and heads of service. The areas to be covered in the statement are: salary, expenses, bonuses, performance-related pay, severance payments, how election fees are paid and the pay policy on re-engagement of ex-employees. The Localism Act also requires the statement to define the lowest paid employees and the ratio to the highest earning employee.

- 1.3 This report presents the Council's Pay Policy Statement 2021/22 for consideration by Civic Affairs and Council.

## **2. Recommendations**

### **The Civic Affairs Committee is asked to:**

- 2.1 Consider and recommend to Council the draft Pay Policy Statement 2021/2022 attached as Appendix 1.
- 2.2 Note that a review of senior officer salaries is now scheduled for late 2021.
- 2.3 Note the position in relation to the £95k Exit Cap regulations and potential changes to the Local Government Pension Scheme (LGPS) which may require changes to the Pay Policy and Pensions Discretions Statements in 2021.
- 2.4 To recommend to Council to delegate authority to the Head of Human Resources to update the Pay Policy Statement 2021/22 should a chief executive and/or chief officer and/or NJC pay award be agreed.

## **3. Background**

### **National Pay Awards**

- 3.1 Pay awards are nationally determined in accordance with the Joint Negotiating Committee (JNC) for Chief Executives, the Joint Negotiating Committee (JNC) for Chief Officers and the National Joint Council for Local Government Services (NJC) for staff on Bands 1-11.
- 3.2 There has been no agreement to date on national pay awards for chief executives or chief officers (strategic directors and heads of service grade) or employees covered by the NJC (Bands 1-11) with effect from 1 April 2021. The Pay Policy Statement will need to be updated if any nationally agreed pay awards are implemented. It is recommended that the Head of HR be given delegated authority to update the pay policy as necessary.

### **Senior Officer Pay Review**

- 3.3 The Council has an agreement that senior officer pay scales will be reviewed every three years in line with the current market median level pay, this includes chief executive, strategic director and heads of service salaries. The last review was undertaken in 2019 and the outcome was reported in the 2020 Pay Policy Statement.
- 3.4 The outcome of the review was that the current pay levels for the posts of chief executive, strategic director and heads of service would remain unchanged at that time but a further review of the Chief Executive pay level would take place in 2020 following recruitment to the post of Chief Executive.
- 3.5 As the recruitment process for the post of Chief Executive concluded in December 2020 this review will now take place in late 2021. The 2022 scheduled three-year review of senior officer pay will be brought forward into 2021 to coincide with this review.
- 3.6 Pay points within these grades are however still subject to any nationally agreed pay awards with effect from 1 April 2021 and would increase in line with any nationally agreed percentage.

### **Exit Cap Regulations**

- 3.7 Following the introduction in November 2020 of regulations to implement the £95k Exit Cap in local government there is currently an interim position in relation to pension and severance arrangements. The new regulations cap the total exit payment that may be made to a departing local government employee to a sum not exceeding £95,000. This sum includes statutory redundancy payments, discretionary payments and any capitalised pension strain payment (payment to the LGPS for early release of pension before normal retirement date). Pension strain payments may be due to be paid in connection with employees aged 55 or over, if they are part of the Local Government Pension Scheme.
- 3.8 There has also been consultation on proposed changes to the Local Government Pension Scheme (LGPS) and the outcome of the consultation on proposed changes to the LGPS is not known at this time. Provisions within the Exit Cap are now scheduled for Judicial Review in Spring 2021.
- 3.9 In light of the current position in relation to the £95k Exit Cap regulations and potential changes to the Local Government Pension Scheme (LGPS) it may be necessary to amend the Pay Policy and Pensions Discretions Statements in 2021.

- 3.10 Within the Treasury Directions relating to the Exit Cap regulations there are provisions to apply for a discretionary waiver of the exit cap in exceptional circumstances. Any proposal to apply for a waiver of the current £95k Exit Cap provisions will be considered by and reported by the Employment (Senior Officer) Committee to Full Council for decision.

## **4 Implications**

### **a) Financial ImplicationsPage: 4**

The Council has made budget provision in the Medium-Term Financial Strategy for 2.5% pay inflation in 2021/22.

### **b) Staffing Implications**

This report relates to the pay, terms and conditions of staff.

### **c) Equality and Poverty Implications**

An equality impact assessment has not been undertaken for this report.

Equality information by grade is reported annually to the Equalities Panel and is available on the Council's website.

### **d) Environmental Implications**

The proposal has no climate change impact.

### **e) Procurement Implications**

The Living Wage Policy as it relates to contractors is included in the Pay Policy Statement.

### **f) Community Safety Implications**

This report relates to the pay, terms and conditions of staff and does not impact directly on community safety matters.

## **5 Consultation and communication considerations**

- 5.7 The Chief Executive, Strategic Directors, Head of Legal Practice, Head of Finance, Payroll Manager, Democratic Services Manager, Equality and Anti-Poverty Officer and Strategic Procurement Manager have been consulted on this report and the attached draft Pay Policy Statement.

- 5.2 This pay policy statement once approved by Full Council will be published on the Council's website. The Pay Policy Statement will be updated following any agreed national pay award changes which affect the council's pay scales.

## **6 Background papers**

Background papers used in the preparation of this report:

- Pay Policy Statement 2020/21
- City Council Pay scales

## **7 Appendices**

- Appendix 1- Pay Policy Statement 2021/22

## **8 Inspection of papers**

To inspect the background papers or if you have a query on the report please contact: Deborah Simpson, Head of Human Resources, Tel: 01223 458101, email: [Deborah.Simpson@cambridge.gov.uk](mailto:Deborah.Simpson@cambridge.gov.uk).



## Pay Policy Statement 2021/22

### Scope

This pay policy statement covers the posts of the chief executive, strategic directors and heads of service.

The Council is an accredited Real Living Wage Employer and this statement incorporates the Council's policy on the Real Living Wage. This statement also incorporates the Cambridge Weighting which is paid as a pay supplement to bring the minimum council pay rate to £10.00 per hour.

Following the transfer of staff from Cambridge Live to the Council on 1 April 2019 under TUPE (Transfer of Undertakings (Protection of Employment) Regulations) we have two implementation dates for the Real Living Wage and two sets of employment terms and conditions. This is referred to below in the section on the real Living Wage, Cambridge Weighting and pay ratios.

The Council has a number of apprenticeship opportunities and there is a statement relating to apprenticeships.

### Salary

The salary scales for the chief executive, strategic directors and heads of service, following the nationally agreed pay award with effect from 1 April 2020, are shown below.

Progression through the pay band (a four-point scale) is subject to a range of criteria that are currently assessed via the annual performance review.

Post	Point 1	Point 2	Point 3	Point 4
<b>Chief Executive</b>	£118,470	£123,502	£128,526	£133,588
<b>Strategic Director</b>	£91,388	£94,998	£98,602	£102,212
<b>Head of Service</b>	£70,942	£73,357	£75,737	£78,154

### Review of Salary levels

The Council has an agreement that senior officer pay scales will be reviewed every three years in line with current median level pay. A review of senior officer salaries was undertaken in 2019 and the outcome of the review was that the current pay levels for the posts of Chief Executive, Director and Heads of Service would remain unchanged at that time but a further review of the Chief Executive pay level would take place in 2020 following recruitment to the post of Chief Executive.

As the recruitment process for the post of Chief Executive concluded in December 2020 this review will now take place in late 2021. The 2022 scheduled three-year review of senior officer pay will be brought forward into 2021 to coincide with this review.

Pay points within these grades are however still subject to any nationally agreed pay awards with effect from 1 April 2021 and would increase in line with any nationally agreed percentage.

### **Pay Awards**

Pay awards are nationally determined in accordance with the Joint Negotiating Committee (JNC) for Chief Executives and the Joint Negotiating Committee (JNC) for Chief Officers.

In 2020 one-year national pay awards were agreed for Chief Executive's and Chief Officers (relating to Strategic Directors and Heads of Service), covering the period 1 April 2020 to 31 March 2021. Both awards were for 2.75%. At the time of drafting this pay policy there have been no pay awards with effect from April 2021.

### **Terms and Conditions of Employment**

The terms and conditions of employment for the chief executive, strategic directors and heads of service within the scope of this pay policy statement are determined in accordance with collective agreements, negotiated from time to time, by the JNC for Chief Executives and the JNC for Chief Officers, as set out in the Scheme of Conditions of Service. These are supplemented by local collective agreements reached with trade unions recognised by the Council and by the rules of the Council.

### **Remuneration on Recruitment**

Recruitment to the posts of chief executive and strategic director is undertaken by a committee of Councillors appointed by Council. In the case of the chief executive, the appointment is made by Full Council, following a recommendation from the Employment (Senior Officer) Committee. Recruitment to posts of strategic director is subject to notification to Executive Councillors before a job offer can be made. The salary on recruitment will be within the current salary range for these posts at that time.

Recruitment to posts of head of service is undertaken by the chief executive or a strategic director. The salary on recruitment will be within the current salary range for these posts at that time.

There are occasions when the salary determined by the grading for a post results in an inability to successfully recruit to or retain staff in particular posts or specific occupational areas due to fluctuations in the labour market supply. These recruitment and retention problems can affect ability to deliver services. In such cases it may be appropriate to pay a market supplement in addition to the salary where there is evidence to justify that market factors are the "material reason" for the post attracting a higher rate of pay than other posts graded similarly. Any additional market supplement will be made in accordance with the Market Pay Policy.

There may be occasions when due to recruitment and retention difficulties within a specific service area or role, it may be more appropriate to use a recruitment and retention package approach than a market supplement. Such an approach offers a fixed lump sum payment for new appointments or to the staff in identified roles at a given date. The

payment is tied to a defined retention period (two years) and must be repaid in full if the person leaves the employment of the Council within the designated period. The aim of this approach is to recruit new staff and retain existing staff where there is evidence of both types of difficulty and a market supplement approach is assessed as less effective.

Rules governing the recruitment of the chief executive, strategic directors and heads of service are set out in the council's constitution in section; Part 4i, Officer Employment Procedure Rules.

## **Bonuses**

There are no bonus arrangements payable to the chief executive, strategic directors or heads of service.

## **Performance Related Pay**

Performance and progression through the pay band is assessed annually in line with the Council's performance review schemes. For the chief executive and strategic directors, performance is assessed by a panel of Councillors, the Chief Officer Performance Review Working Party. For heads of service, performance is assessed by their strategic director.

There is no performance related pay scheme outside of the performance review scheme, which determines the salary point of an officer, within the salary scale set out above.

## **Salaries over £100,000**

The posts of chief executive and strategic director have salary ranges which include pay points of over £100,000.

## **Publication of salary data**

Salary data for the chief executive, strategic directors and heads of service is published on the council's website, in Open Data, Transparency in local government, senior salaries.

This pay policy statement once approved by Full Council will be published on the Councils website.

## **Expenses**

The expenses which may be payable to the chief executive, a strategic director or head of service include:

- car/bicycle/motorcycle allowances at HMRC rates
- re-imburement of travel and subsistence
- one professional subscription per annum
- payments under the eye-sight tests scheme
- relocation assistance in accordance with the Relocation Scheme

## **Severance Payments**

Severance payments are made in accordance with the council's employment policies and are the same for all staff.

Employees with more than two years' service will be entitled to redundancy pay in line with local government guidelines and statutory provisions. Redundant employees may receive the following elements in their final pay:

- Normal pay up to the agreed leaving date
- Where applicable, payment in lieu of outstanding notice
- Severance payment (where entitled).

Under the council's redundancy scheme a weeks pay will be calculated on the basis of actual weekly pay. Cambridge City Council will not apply the statutory weeks pay definition.

Once an employee is in receipt of early payment of pension benefits, if their total pay and pension benefits together (if reemployed by another employer covered by the Local Government Modification order) exceeds their salary as at the leaving date, the difference may be claimed back from pension payments.

An employee will lose their entitlement to redundancy pay if they take up a post with another body covered by the Redundancy Payments (Local Government) (Modification) (Amendment) Orders within 4 weeks of the date of the redundancy and the offer of the new job has been made before the end of the original contract.

Following the introduction in November 2020 of regulations to implement the £95k Exit Cap provisions in local government and consultation on proposed changes to the Local Government Pension Scheme (LGPS), there is currently an interim position in relation to pension and severance arrangements. As the outcome of the consultation on proposed changes to the LGPS is not known at this time and provisions within the Exit Cap are scheduled for Judicial Review in Spring 2021 this Pay Policy Statement does not include at this time further detailed information on severance payments.

Any proposals with a salary or severance package with a total value over £100k will be reported by the Employment (Senior Officer) Committee to Full Council for decision. Any proposal to apply for a waiver of the current £95k Exit Cap provisions will be considered by and reported by the Employment (Senior Officer) Committee to Full Council for decision.

The chief executive, monitoring officer and chief finance officer can only be dismissed by the Full Council. All other directors and heads of service can only be dismissed in accordance with the Councils constitution, Part 4i, Officer Employment Procedure Rules.

## **Pension and Pension Enhancements**

The employees within the scope of this pay policy are entitled to and receive pension contributions under the Local Government Pension Scheme (LGPS). This is a contributory scheme and they currently contribute between 9.9% and 11.4% of their pensionable pay to the scheme.

The employer contribution rate is currently 17.4% i.e. the council contributes 17.4% of pensionable pay to the pension of a member of staff within the pension scheme. The rate of 17.4% is the same for all staff. The rate is reviewed every 3 years following a valuation of the fund by the appointed actuaries. Review has been undertaken in 2019, with the outcome effective for 2020/21.

The Council's discretions on enhancement of pension are set out in the Pensions Discretion Statement 2019. This policy was approved by the Civic Affairs Committee on the 30 January 2019. The policy is reviewed every 3 years and/or in line with changes to the Local Government Pension Scheme (LGPS) as advised by the Local Government Pensions Committee (LGPC) and the Administering Authority (Cambridgeshire County Council). As there have been recent consultations on proposed changes to the LGPS the pension discretions will be reviewed in 2021 following any implemented changes to the LGPS.

### **Pay Ratios, Real Living Wage, Cambridge Weighting and Apprenticeships**

Set out below are the Council's pay arrangements with regard to the Real Living Wage, the Cambridge Weighting, apprenticeships, and the highest paid council staff.

The table below shows a number of pay ratios.

The Council does not have a policy on maintaining or reaching a specific pay ratio between the lowest and highest paid staff.

- **Apprentices**

The Council has engaged a number of apprentices in apprenticeship roles where these roles provide development opportunities and do not replace existing posts. They are outside of the Real Living Wage and Cambridge Weighting policies and where we pay apprentices in line with the National Living Wage/Minimum Wage Rates in their first year of apprenticeship.

The current lowest rate for apprenticeships is £8.20 and this pay rate has been used in the ratios.

The Council also offer apprenticeships to current employees who are paid in accordance with their existing pay arrangements during the apprenticeship.

- **Lowest paid staff**

The lowest paid staff within the Council's pay structure are on Band 1. We have chosen staff employed on Band 1 as our definition of the 'lowest paid' for the purposes of this policy. The current lowest pay point is £18,198.

Cambridge City Council is an accredited Real Living Wage employer and also pays a Cambridge Weighting supplement. This means that the minimum pay level for staff is £10.00 per hour, equivalent to £19,294.

The terms and conditions of employment for Band 1 staff are in accordance with collective agreements, negotiated from time to time, by the National Joint Council for

Local Government Services, as set out in the Scheme of Conditions of Service (commonly known as the Green Book). These are supplemented by local collective agreements reached with trade unions recognised by the Council and by the rules of the Council.

Pay policies which apply to Band 1 employees include:

- car/bicycle/motorcycle mileage at HMRC rates
- re-imbusement for travel and subsistence
- overtime/enhanced rates
- standby and callout arrangements
- one professional subscription per annum
- payments under the eye-sight tests scheme
- Travel scheme (where applicable)

- **Median average of employees**

The current median average salary is £29,577.

- **Real Living Wage**

The Council has adopted a Real Living Wage policy for staff, agency workers and contractors engaged through the Council's Procurement processes.

There are currently two implementation dates for the Real Living Wage; November (for staff engaged on city council terms and conditions of employment) and April (for staff engaged on Cambridge Live terms and conditions of employment).

With effect from November 2020 the Real Living Wage has increased from £9.30 per hour to £9.50 per hour.

The Council will pay the Real Living Wage rate for staff engaged on city council pay rates by way of a supplement to pay rates.

The Council will pay the minimum of the relevant Real Living Wage rate to agency workers after 4 weeks of their engagement with the City Council.

The Council will require contractors engaged through the Council's procurement processes to pay at least the Real Living Wage to all their staff who work on the Council's premises (or land maintained by the Council) for two or more hours on any day of the week for eight or more consecutive weeks. The only contracts that will be excluded from the requirement to pay the Real Living Wage are:

- contracts where it would be unlawful to require the payment of the Real Living Wage
- contracts where, following evaluation, it is considered inappropriate to impose the requirement.

- **Cambridge Weighting**

The Council implemented a Cambridge Weighting with effect from 1 April 2018, paid to employees on city council terms and conditions of employment and related agency workers earning less than £10 per hour. From April 2020 this rate has also applied to employees on Cambridge Live terms and conditions of employment and related agency

workers. The weighting is paid in addition to salary, the Real Living Wage supplement, to bring the hourly rate to an equivalent of £10 per hour (£19,294). For agency workers the weighting applies in addition to current hourly rates and the Real Living Wage arrangements. The weighting is variable, depending upon the current hourly rate and the Real Living Wage supplement payable at that time.

- **Chief Executive**

The highest paid officer of the council is the chief executive. The highest pay point on this scale is £133,588. Since 1 October 2020, the post of chief executive has been undertaken by an interim chief executive. A permanent appointment will commence in April 2021, therefore only highest pay point has been used in these ratios in this Pay Policy Statement.

- **Pay Ratios**

	<b>Annual Salary</b>	<b>Ratio to Chief Executive salary/Highest pay point</b>	<b>Explanation</b>
Apprentice rate of £8.20	£15,819	1:8.44	Chief Executive pay scale highest pay point and lowest apprenticeship rate
Real Living Wage Rate of £9.50	£18,327	1:7.29	Chief Executive pay scale highest pay point and real Living Wage rate of £9.50
Lowest council pay scale point (£9.43)	£18,198	1:7.34	Chief Executive pay scale highest pay point and lowest council pay scale point
Real Living Wage Rate of £9.30	£17,943	1:7.45	Chief Executive pay scale highest pay point and real Living Wage rate of £9.30
Cambridge Weighting – minimum £10.00	£19,294	1:6.92	Chief Executive pay scale highest pay point and £10 hour Cambridge Weighting
Median Average salary	£29,577	1:4.52	Chief Executive pay scale highest pay point and current median salary
Chief Executive Highest pay point	£133,588	-	Chief Executive's highest pay point

### **Election Fees**

The Returning Officer is the person who has the overall responsibility for the conduct of elections. The Returning Officer is an officer of the Council who is appointed under the Representation of the People Act 1983. Although appointed by the Council the role of the Returning Officer is one of a personal nature and distinct and separate from their duties

as an employee of the Council. Elections fees are paid for these additional duties and they are paid separately to salary.

The role of Chief Executive is expected to be the council's Returning Officer.

The fees for Parliamentary, Police & Crime Commissioner, Euro Elections and national referenda are set by the Government. The fees for County Council elections are set by the County Council. The fees for the Combined Authority Mayoral election are set by the Combined Authority. The fees for Parliamentary and European Elections are pensionable.

Fees for district elections are set locally and current fees were agreed by the Civic Affairs Committee in April 2010 as £373 per contested ward and £55 per uncontested ward. Fees for district elections are pensionable.

Other officers, including senior officers within the scope of this policy, may receive additional payment for specific election duties.

### **Tax Avoidance and IR35**

The Council takes tax avoidance seriously and will seek to appoint individuals to vacant positions using the recruitment procedures on the basis of contracts of employment and apply direct tax and National Insurance deductions from pay through the operation of PAYE.

Where consultants are recruited the Council will seek to avoid contractual arrangements which could be perceived as being primarily designed to reduce significantly the rate of tax paid by that person, such as paying the individual through a company effectively, controlled by him or her.

These principles will be embedded in contract clauses and guidance for managers when employing consultants.

In addition workers employed directly by the Council will be assessed to establish whether they fall within scope of the IR35 legislation using the HMRC employment status tool. Workers that fall within scope will have Income Tax and National Insurance contributions deducted and paid over to HMRC.

The Council will continue to advice employment agencies for each role, whether the role has been assessed to be within scope of IR35, or not.

### **Re-engagement of ex City Council staff within the scope of this policy**

All permanent or fixed term posts are advertised in accordance with the council's recruitment policies and appointment is made on merit.

Interim management appointments are made in accordance with the council's procurement policies and the provisions for contract for services.

The council will not engage an ex city council member of staff within the scope of this policy outside of these arrangements.



## CIVIC AFFAIRS

27 January 2021

5.30 - 6.15 pm

**Present:** Councillors Sargeant (Chair), Davey (Vice-Chair), Chadwick, Dalzell, O'Reilly and Thornburrow

<b>FOR ADOPTION BY THE COUNCIL</b>
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### **20/6/Civ Member allowances – review by the Independent Remuneration Panel**

The Committee received a report from the Democratic Services Manager. The 2020/21 scheme had been updated in line with the National Living Wage and the Panel was required to review it, as it had been four consecutive years linked to an index after which the (Members Allowance) Regulations (2003) require a review.

The Committee noted that the Panel would be undertaking a full review in autumn 2021. In answer to questions, Jane Phillips a member of the Panel, stated that evidence from the wider Membership of the Council would be sought at that time.

The Chair commented on the Panel's term of reference ix) which was to create a scheme which covers the equality and diversity implications so that a diverse range of councillors can be attracted. It was noted that an allowance scheme alone could not guarantee such a diversity.

**Resolved** (unanimous) to recommend to Council:

- i. the 2020/21 allowance scheme (attached) and that it is not index linked for 2021/22 (ie. kept at the rate for 2020/21).

The Committee also unanimously agreed:

- ii. To note a further review will take place in autumn 2021 for implementation in May 2022.

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Item

## **Member allowances-review by the Independent Remuneration Panel**

**To:**

Civic Affairs Committee 27/01/2021

**Report by:**

Gary Clift, Democratic Services Manager

Tel: 01223 - 457011 Email: gary.clift@cambridge.gov.uk

**Wards affected:**

All

### **1. Introduction**

The Independent Remuneration Panel has reviewed the Allowance Scheme. Regulations require a review after four years if a Scheme uses an Index for annual increases. The Index applying to the current scheme, the National Living Wage, has been in place since May 2016.

### **2. Recommendations**

Committee is asked to:

- (i) Consider the Panel's report and recommend a scheme for 2020-21 and 2021-22 to the Council.
- (ii) Note a further review will take place in autumn 2021 for implementation in May 2022.

### **3. Background**

The recommendations of the Panel are for the current and next Municipal Year. If changes are to be made by the Committee to the Panel's recommendation, these would apply from May 2020.

## **4. Implications**

### **(a) Financial Implications**

Since 2017, annual increases linked to the National Living Wage and small changes to Special Responsibility Allowances have been covered by underspends in department budgets. Any more significant uplift (as was the case in 2016) would require a budget bid.

### **(b) Staffing Implications**

### **(c) Equality and Poverty Implications**

### **(d) Environmental Implications**

### **(e) Procurement Implications**

### **(f) Community Safety Implications**

Nothing specific for the above.

If you have a query on the report please contact Gary Clift, Democratic Services Manager, tel: 01223 - 457011, email: [gary.clift@cambridge.gov.uk](mailto:gary.clift@cambridge.gov.uk).

Cambridge City Council  
Members' Allowances-review by the Independent Remuneration Panel  
December 2020

Background

1.1 The payment of Member Allowances is regulated by the Local Authorities (Members' Allowances) (England) Regulations 2003 and overseen by an Independent Remuneration Panel (the Panel). Allowances are split into two categories, basic allowance which is available to every member of the Council and special responsibility allowance which apply to specified positions identified in the Regulations and any additional positions of special responsibility that may be identified by the Panel.

1.2 The current Members' Allowances Scheme was introduced in July 2016 for the 2016/17 Municipal Year and is linked to the Government's National Living Wage (allowances up to that point had remained static since 2008). The Regulations require Panels to review an allowances scheme if it is linked to an index when that index has been applied for four years. Although the Panel reported in July 2017 and October 2018 on special responsibility allowances, when a check on how the scheme was working was done, it is the link to the index from 2016 which necessitates the review now.

1.3 The Panel noted that since it last met in 2018, arrangements for shared council services with both South Cambridgeshire DC and Huntingdonshire DC continue and have now been in place for the last four years.

1.4 Partnership working with the Cambridgeshire and Peterborough Combined Authority has also been in place for nearly its first four years, with the election of the Mayor scheduled for May 2021. In addition the arrangements with the Greater Cambridge Partnership continues. Previous expressions by the Panel for greater consistency of special responsibility allowances for roles on these partnership bodies have not materialised as these allowances continue to be agreed by each authority, which other than South Cambridgeshire DC, is not in sync and has taken into account local circumstances and preferences.

## Comparison to most relevant near neighbour districts and family group councils

Council	2020/21 Basic allowance	Combined Authority (Board Member)	Greater Cambridge Partnership (Board Member)	Index used
Cambridge	5210	5210* (current recipient takes 50%)	2605	National Living Wage
South Cambs*	5010	5010	2505	Staff pay
Huntingdonshire**	4636	Leader's one SRA of 16,000 incorporates this role	n/a	Inflation
Oxford	5142			Staff pay
Lincoln	4905			Can't establish from web information
Exeter	6100			Resident to Cllr ratio
Crawley	6440			Chief Officer pay
Welwyn Hatfield	5152			Staff pay
Cheltenham	5698			Staff pay

\*Cambridge and SCDC have a shared services agreement in Waste Collection and recycling, Internal Audit, Planning Services, Building Control, Legal, ICT and CCTV

\*\*Cambridge and Huntingdonshire have a shared services agreement in Legal, ICT, Building Control and CCTV

### **Conclusion and recommendation**

2.1 This review has been purposefully light touch and interim, acknowledging that although required by the Regulations, the timing is not ideal. The coronavirus pandemic made 2020 an untypical year to say the least and Members are rightly focusing on the unprecedented situation. In addition, any impact of the delayed all-out city council elections due now in May 2021

are also of interest to the Panel as will be any impact of new ways of working during and coming out of the pandemic. The Panel also notes that after ten years the Council's Chief Executive left in September and an interim Chief Executive is currently in place until the post is permanently filled.

2.2 We do believe that the methodology used since 2016 is still relevant. Aligning with the National Living Wage ensures increases are understood and logical and reflects what the Government see as a responsible annual increase.

2.3 That said however, taking into account the announcement in the Spending Review by the Chancellor in November that the majority of public sector pay would be frozen in 2021/22, the Panel recommends that the Allowances Scheme remain at 2020/21 rates for 2021/22.

2.4 It is our intention to do a full review of the scheme in autumn 2021 when it is hoped that the current uncertainties are made clearer.

Jane Phillips, Rob Bennett, Graham Jagger  
December 2020

## Terms of Reference for the Panel

To recommend a scheme or schemes to the Council which

- i. recognises that councillors undertake council work for the sake of public service and not private gain
- ii. recognises in both basic and special responsibility allowances the varying demands placed upon councillors, dependent upon their roles and responsibilities
- iii. fairly and equitably compensates councillors, so far as the Panel thinks appropriate, for the time and effort they can reasonably be expected to devote to their work as a councillor
- iv. is economic, efficient to administer and effective
- v. is easy to understand and explain
- vi. recognises the level of out of pocket expenses councillors incur
- vii. has flexibility to reflect changes of responsibilities of councillors during the course of the year
- viii. ensures that a benchmarking exercise is undertaken with other comparable Councils.
- ix. ensures that equality and diversity implications are considered so that a diverse range of Councillors can be attracted.

## Members of the Panel are:

### Jane Phillips

Jane has worked as a teacher and a business psychologist. She has also been a school governor for over thirty years, working with five different schools in Hertfordshire and Cambridgeshire. During this time, she has been the Chair of Governors and the Chair of Personnel and has drawn up policies on governor expenses and a code of conduct for the governing body. From 1992-1995 she was the Chair of Hertfordshire Governors' Association and from 2000-2003 she was the Chair of the National Association of School Governors. She is now the Chair of Birdwood Area Residents' Association in Cambridge. In her spare time she has completed an MA in Crime Writing and is writing the third book in a crime trilogy. She lives in Cambridge.

### Graham Jagger

Graham is a Cambridge graduate and professional HR manager and consultant with wide public and private sector experience. During the last 20 years he has worked in the NHS at Trust, regional and national levels including as Director of Corporate Development at Papworth Hospital NHS

Foundation Trust and as Agenda for Change Director for Papworth, Addenbrookes and the East of England. He was appointed to the independent NHS Pay Review Body by the Secretary of State for Health in 2009, responsible for reviewing and making recommendations to government on changes to the pay and conditions of NHS staff. From 2012 he was Lead Governor, Papworth Hospital NHSFT and Director of Healthwatch Cambridgeshire and Peterborough. Currently he chairs the East of England Advisory Committee on Consultant Clinical Excellence Awards and is a Member of the NHS Reconfiguration Panel which advises the Secretary of State on contested service change proposals. He has six years' experience of reviewing a members' allowance scheme as member and then chair of the Independent Remuneration Panel at South Cambridgeshire District Council. He lives in Cambridge.

Rob Bennett

Rob is the independent person for Cambridge City Council dealing with complaints against councillors. He worked as a partner with PricewaterhouseCoopers (PwC) until 2010 and led the public sector audit business in the South and East of England. He is a non-executive director and audit and risk committee chair for Flagship Housing Group, the largest housing association in the East of England with over 30,000 properties. He is a non-executive member of Norfolk & Waveney Clinical Commissioning Group's Governing Body and chair the audit committee and the conflicts of interest committee. Rob is the independent chair of the audit committee for the Norfolk Police and Crime Commissioner, the independent hospital manager for Norfolk & Suffolk NHS Foundation Trust dealing with the detention of patients under Mental Health legislation. He is also the chair for a local charity which manages a country park on the outskirts of Norwich and a volunteer at the Norwich Foodbank.

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## LICENSING COMMITTEE

25 January 2021

10.00 - 11.30 am

**Present:** Councillors Bird (Chair), Gehring, Johnson, Massey, McPherson, McQueen, Moore, Page-Croft and Summerbell

<b>FOR ADOPTION BY THE COUNCIL</b>
------------------------------------

### **21/18/Lic Review of Statement of Licensing Policy**

**Resolved (by 8 votes to 0) to:**

- i. Consider the results of the public consultation exercise as summarised in Appendix B of the Officer's report.
- ii. Approve the amended Statement of Licensing Policy attached to the Officer's report as Appendix D. Appendix C included tracked changes showing the amendments that have been made.

Councillor Gehring did not take part in the discussion or decision making on this item.

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Item

## Review of Statement of Licensing Policy



**To:**

Licensing Committee

**Report by:**

Yvonne O'Donnell, Environmental Health Manager

Tel: 01223 457951 Email: Yvonne.ODonnell@cambridge.gov.uk

**Wards affected:**

All

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### 1. Executive Summary

- 1.1 Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate. The existing Statement of Licensing Policy for Cambridge City Council became effective on 19<sup>th</sup> October 2017.
- 1.2 The Statement of Licensing Policy has been reviewed within the 5 year period as on 6<sup>th</sup> April 2018, The Policing and Crime Act 2017 amended the Licensing Act 2003 to place Cumulative Impact Assessments on a statutory footing.
- 1.3 The Statement of Licensing Policy contains a section on the cumulative impact of a concentration of licensed premises.
- 1.4 The proposed Statement of Licensing Policy has seen this section amended and also produced as a stand-alone document, The Cumulative Impact Assessment.

- 1.5 The process to start the review of the Statement of Licensing Policy began in August 2020 and a twelve-week public consultation took place between 31<sup>st</sup> August 2020 and 22<sup>nd</sup> November 2020.
- 1.6 The current Statement of Licensing Policy expires on 18<sup>th</sup> October 2022 and a new Statement of Licensing Policy must be in place by this date otherwise under the legislation, Cambridge City Council will not be able to process any applications covered by the Licensing Act 2003 until the policy is in place.
- 1.7 The section on Cumulative Impact had to be reviewed before April 2021 and this is why the Statement of Licensing Policy is being reviewed within the five year period.

## **2. Recommendations**

- 2.1 Members are recommended to:
  - Consider the results of the public consultation exercise as summarised in Appendix B of this report;
  - Approve the amended Statement of Licensing Policy attached to this report as Appendix D. Appendix C includes tracked changes showing the amendments that have been made.

## **3. Background**

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- 3.1. **Review.** Under the Licensing Act 2003, each Council is required to produce, adopt and publish a Statement of Licensing Policy stating how it will exercise its functions under the Act. The statement must be kept under review and remains in existence for up to five years. This period ends on 18<sup>th</sup> October 2022
- 3.2 Under the legislation, the Council is not able to process any applications unless a statement of licensing policy is in place.
- 3.3 The issues raised in individual responses to the consultation affecting the review are detailed in Appendix B. 1 response was received as a result of the consultation exercise. All comments were addressed and no amendments were required to be made to the policy.
- 3.4 The Policy must comply with the Licensing Act and Statutory Guidance. For this reason, it has not always been possible to adopt suggestions put

forward. Appendix B indicates the consideration given to each comment received and provides reasons for the decision taken.

- 3.5 **Cumulative Impact.** The Council currently has a Cumulative Impact Policy within the Statement of Licensing Policy. The areas covered by the Cumulative Impact Policy are stated in paragraph 5.8 of the Licensing Policy.
- 3.6 The Policing and Crime Act 2017 amended the Licensing Act 2003 to place Cumulative Impact Assessments on a statutory footing.
- 3.7 As Cumulative Impact Policies (CIPs) were not part of the 2003 Act, there are no transitional provisions that apply to CIPs that were in place before 6<sup>th</sup> April 2018.
- 3.8 It was recommended that any existing CIPs should be reviewed within three years of the commencement of the legislation on Cumulative Impact Assessments or when the licensing policy statement is next due for review, whichever is sooner.
- 3.9 We have taken the opportunity to create a stand-alone Cumulative Impact Assessment before 6<sup>th</sup> April 2021 and review the Statement of Licensing Policy at the same time.

## **4. Implications**

### **(a) Financial Implications**

Provision has been made in the Council's budget to review the statement of licensing policy and the council will meet the cost of consultation.

### **(b) Staffing Implications**

There are no additional staffing implications. Budget provision has been made for the review of the policy.

### **(c) Equality and Poverty Implications**

An Equality Impact Assessment (EqIA) has been completed alongside the review of this policy.

### **(d) Environmental Implications**

The Act requires the Licensing Authority to carry out its function with a view to promoting the four licensing objectives, one of which is the prevention of public nuisance, to protect the local environment and community.

### **(e) Procurement Implications**

Nil

### **(f) Community Safety Implications**

Cambridge City Council must fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge. The policy promotes that fact and states that any decision by the Licensing Authority will be with a view to promoting the licensing objectives.

## **5. Consultation and communication considerations**

- 5.1 In accordance with Government Code of Practice on consultation, the draft Statement of Licensing Policy was submitted for public consultation over a 12-week period between 31<sup>st</sup> August 2020 and 22<sup>nd</sup> November 2020. Legislation requires that we undertake consultation with bodies prescribed in the Act for the review.
- 5.2 Consultation was undertaken as widely as possible, with approximately 600 letters and emails being sent out, including the Chief Officer of Police and all other parties as required by legislation, including persons/bodies representing holders of premises licences and club premises certificates, businesses and residents associations. The consultation was also available to view on Cambridge City Council website and appeared in the Cambridge News on Monday 31<sup>st</sup> August 2020.
- 5.3 All comments received are listed in the attached Appendix B, which relates to specific written comments received in response to the draft policy. Consideration to all comments has been given in drawing up the Policy. The schedule shows the nature of the comment, the evaluation of the comment and the action taken.

## **6. Background papers**

Background papers used in the preparation of this report:

- (a) Licensing Act 2003
- (b) Guidance published under section 182 of the Licensing Act 2003
- (c) Policing and Crime Act 2017
- (d) Cambridge City Council's Existing Statement of Licensing Policy

## **7. Appendices**

Appendix A – Current Statement of Licensing Policy

Appendix B – Comments and Responses from Consultation

Appendix C – Draft Statement of Licensing Policy with changes made in red.

Appendix D – Proposed Statement of Licensing Policy

Appendix E – Equality Impact Assessment

## **8. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact Luke Catchpole, Technical Officer, tel: 01223 457818, email: [luke.catchpole@cambridge.gov.uk](mailto:luke.catchpole@cambridge.gov.uk).

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## CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING POLICY

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## CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING POLICY

Cambridge is a unique blend of market town, sub-regional centre, national and international tourist attraction and centre of excellence for education and research. It is a city of great beauty and is renowned for the qualities of its streets, spaces and buildings.

Cambridge City Council (the Licensing Authority), in association with local partnerships, wants Cambridge to be vibrant, socially mixed, safe, convenient and enjoyable, where all residents feel integrated into the life of the City and a part of its success.

Cambridge City Council has a clear vision for the future of the City, a vision shared with Cambridge citizens and partner organisations. Our vision includes:

- An international city which celebrates its diversity and actively tackles discrimination on gender, race, nationality, ethnic background, religion, age, disability, gender identity, and sexual orientation.
- A city in which all citizens feel that they are listened to and have the opportunity to influence public decision making, and which values, supports and responds to individual and community initiatives.
- A city where all citizens and organisations appreciate their duties as well as their rights, where people are free to enjoy themselves but also show consideration for others, and where the community works together to reduce harm and nuisance including by education and, where needed, robust enforcement of the law.

The overarching objectives of Cambridge City Council in licensing premises are to:

- Promote the Authority's visions and values
- Protect the rights and health and safety of the general public, workers, residents, businesses, minority and vulnerable groups
- Ensure the principles of consistency, transparency, accountability and the promotion of good standards in licensing
- Demonstrate compliance with statutory responsibilities in relation to procedures and enforcement
- Ensure consistent and transparent decision making

It is recognised that licensed entertainment provides a valuable contribution towards the economy of Cambridge and we seek to balance the needs of local business holders and licensees, whilst protecting those of local residents.

## 1. Introduction

- 1.1 This Licensing Policy Statement has been produced in accordance with the requirements of the Licensing Act 2003 ('the Act') and is in line with guidance issued under Section 182 of the Act.
- 1.2 The policy relates to all those licensing activities identified as falling within the provisions of the Act, namely: -
  - Retail sale of alcohol
  - Supply of alcohol by or on behalf of a club, or to the order to a member of the club
  - The provision of regulated entertainment
  - The provision of late night refreshment
- 1.3 The policy relates to all types of premises covered by the Act.
- 1.4 The Licensing Authority will take the policy into account where its discretion is engaged (i.e. at a hearing following representations).
- 1.5 Nothing in this policy will undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits.
- 1.6 The Licensing Authority may depart from this policy if the individual circumstances of any case merit such a decision in the interest of the promotion of the licensing objectives. Full reasons will be given for departing from the policy.

## 2. Objectives

- 2.1 The Licensing Authority has a duty under the Act to carry out its licensing functions by promoting the licensing objectives, which are: -
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance, and
  - The protection of children from harm.

Each objective has equal importance.

- 2.2 In carrying out its licensing functions, the Licensing Authority must also have regard to the licensing objectives, its Policy Statement and any statutory guidance under the Act and is bound by The Human Rights Act 1998. The Council must also fulfill its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge. The Statement of Licensing Policy recognises the

Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.

- 2.3 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not be seen as a means for solving all problems within the community. However, the licensing function is an important means of achieving the objectives. The Licensing Authority will continue to work in partnership with its neighbouring authorities, the police, other agencies, local liaison groups, businesses and individuals towards the achievement of the licensing objectives through good practice.
- 2.4 The Licensing Authority will expect individual applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. Applicants should include in their operating schedule the steps, which they consider necessary to promote the licensing objectives. If the steps are insufficient, or if the information given in the operating schedule does not enable a responsible authority or any other person to assess whether the steps proposed are satisfactory, it is more likely that relevant representations will be received, usually leading to a hearing.
- 2.5 All responsible authorities (listed in section 15) will have the chance to comment on all applications received and will provide evidence from their own areas of expertise if they believe an application would impact on one or more of the licensing objectives. All evidence provided will be taken into account by the Licensing Authority at any subsequent hearing.

### 3. Consultation

- 3.1 In preparing this policy statement the Licensing Authority has consulted with the following:
- the Chief Officer of Police for Cambridgeshire
  - the Chief Officer of the Cambridgeshire Fire and Rescue Service
  - persons/bodies representative of the Local Authority with the function of public health
  - persons/bodies representative of local holders of premises licences
  - persons/bodies representative of local holders of club premises certificates
  - persons/bodies representative of local holders of personal licences
  - persons/bodies representative of businesses and residents in the City of Cambridge
  - persons/bodies representative of Child Protection Services at Cambridgeshire County Council
  - other organisations as appear to the Licensing Authority to be affected by licensing matters, including local community, cultural, educational and

entertainment organisations.

- 3.2 We have considered the views of all those consulted prior to determining this policy.

## 4. Fundamental Principles

- 4.1 Licensing is about regulating licensable activities on premises, such as qualifying clubs, pubs and temporary events which fall within the terms of the Act. Any conditions imposed will focus on matters that individual licensees and others in possession of relevant authorisations are able to control.
- 4.2 In addressing these matters, the Licensing Authority will primarily focus on the direct impact the activities taking place at the licensed premises will have on those living, working or engaged in normal activity in the area concerned.
- 4.3 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in Cambridge.

## 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.

## 6. Licensing Hours

6.1 Flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the potential for disorder and disturbance. Licensing hours should not inhibit the development of a thriving and safe evening and night-time economy. This is important for investment, local employment, tourism and local services associated with the night-time economy. Providing customers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

6.2 Subject to the policies regarding cumulative impact in the areas of the City specified in paragraph 5.8, shops, stores and supermarkets will generally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless representations raise good reasons based on the licensing objectives, for restricting those

hours, for example, a limitation may be appropriate following police representations in the case of shops known to be a focus of disorder and disturbance.

- 6.3 The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When issuing a licence, following receipt of relevant representations, stricter conditions on noise control are likely to be imposed in the case of premises that are situated in predominantly residential areas. However, this should not limit opening hours without regard to the individual merits of any application.

## 7. Children and Licensed Premises

- 7.1 Cambridge City Council will consider its Safeguarding for Children and Vulnerable Adults Policy when determining licensing applications. We are committed to safeguarding and promoting the welfare of children, young people and vulnerable adults.

- 7.2 It is an offence under the 2003 Licensing Act to:

- Permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a TEN; and
- To permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or TEN.

- 7.3 There are a great variety of premises for which licences may be sought including theatres, cinemas, restaurants, pubs, nightclubs, cafes, take away, community halls and schools. Access by children to any premises will not be limited unless it is considered necessary for the prevention of physical, moral or psychological harm to them.

- 7.4 Conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licensee or club or person who has been given a temporary event notice.

- 7.5 When deciding whether to limit access to children, the Licensing Authority will consider each application on its merits. Particular areas that will give rise to concern in respect of children, would include premises –

- where entertainment or services of an adult or sexual nature are commonly provided

- where there is a strong element of gambling on the premises
- with a known association with drug taking or dealing
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- where there is a known association with the provision of illicit tobacco and alcohol
- where the supply of alcohol is in close proximity to services where young vulnerable people may frequent

7.6 The range of alternatives which may be considered for limiting access to children where that is necessary for the prevention of harm to children are:

- limitations on the hours when children may be present
- age limitations (below 18)
- limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place
- requirements for accompanying adults
- full exclusion of those people under 18 from the premises when any licensable activities are taking place
- limitations on the parts of premises to which children might be given access.

7.7 In the case of premises which are used for film exhibitions Cambridge City Council will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.

7.8 The Licensing Authority recognises the Child Protection Services of Cambridgeshire County Council as being competent to advise on matters relating to the protection of children from harm.

7.9 The Licensing Authority commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.

## 8. Licence Conditions

8.1 A key concept of the Act is for conditions to be attached to licences and certificates, which are tailored to the individual style and characteristics of the

premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.

- 8.2 The Licensing Authority cannot attach conditions to premises licences and club premises certificates unless they are considered appropriate for the promotion of the licensing objectives. The Licensing Authority may only attach conditions (except for statutory mandatory conditions and conditions drawn from the operating schedule) if relevant representations have been received. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation. Blanket standard conditions will not be imposed without regard to the merits of the individual case.
- 8.3 Conditions attached to premises licences and club premises certificates under prevention of crime and disorder will, so far as possible, reflect local crime prevention strategies.
- 8.4 In deciding what conditions should be attached to licences and certificates to promote the licensing objectives, the Licensing Authority will be aware of the need to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature. Only appropriate conditions will be imposed on such events. Where there is any indication that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how the situation might be reversed.
- 8.5 Applicants should consider the measures which they propose to control noise nuisance from the premises or from departing customers. Depending on the individual circumstances, this may include:
- Sound limitation devices
  - Acoustic lobbies
  - Acoustic double glazing
  - Noise insulation
  - Specifying non amplified or acoustic music only
  - Notices requesting customers to leave quietly
  - A dedicated taxi service
  - Use of door supervisors at exit points
  - A winding down period during which music is turned down and lights up, alcohol service ceases and sales of food and hot and cold soft drinks continues and requests are made for customers to leave quietly.

## 9. Integrating Strategies and the avoidance of duplication

- 9.1 By consultation and liaison, the Licensing Authority will secure the proper integration of this licensing policy with local crime prevention, Cambridgeshire Health & Wellbeing Strategy, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the

management of the city and the night-time economy. Many of these strategies directly impact upon the four licensing objectives.

- 9.2 Where any protocols to be agreed with the police identify a particular need to disperse people from the city swiftly and safely to avoid concentrations which could lead to disorder and disturbance, the Licensing Authority will aim to inform those responsible for providing local transportation so that arrangements can be made to reduce the potential for problems to occur.
- 9.3 The Council's Licensing Committee will receive, when appropriate, reports on:
- the needs of the local tourist economy for the area to ensure that these are reflected in their considerations
  - the employment situation in the area and the need for new investment and employment where appropriate.
- 9.4 Planning, building control and the licensing regimes will be separated to avoid duplication and inefficiency. Licensing applications will not be a re-run of the planning application and will not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. When a terminal hour has been set as a condition of planning permission that is different from the licensing hours, the applicant must observe the earlier of the two closing times.
- 9.5 So far as is possible, the policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators.
- 9.6 The Licensing Authority will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing, circus activity, street art and theatre, including the performance of a wide range of traditional and historic plays for the wider cultural benefit of the community which also balances the evening economy. The Licensing Authority will balance the prevention of disturbance in neighbourhoods with these wider cultural benefits, particularly cultural benefits for children. Only appropriate conditions will be imposed on such events.
- 9.7 The absence of cultural provision in any area can lead to young people being diverted into anti-social activities that damage local communities and the young people involved themselves.
- 9.8 Cambridge City Council has an important role in coordinating events in the City and to ensure that cultural diversity thrives. The Council currently has five licensed open spaces. These are: Parkers Piece; Jesus Green; Midsummer Common; Coldhams Common and the grounds of Cherry Hinton Hall.

- 9.9 The Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 9.10 Applicants will be encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their operating schedule.
- 9.11 The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of race, gender, transgender, religion, sexual orientation, disability or age, or display discriminatory signs.

## 10. Licence Reviews

- 10.1 The process set out in the Licensing Act 2003 for reviewing premises licences represents a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 10.2 Responsible authorities (including the Licensing Authority) and other parties can apply for the review of a licence.
- 10.3 The Licensing Authority will work in partnership with other responsible authorities to achieve the promotion of the licensing objectives and will give Licence or Certificate holders early warning of any concerns identified at a premises. The Licensing Authority will also encourage other responsible authorities to do the same.
- 10.4 When a review has been requested the role of the Licensing Authority will be to administer the process and determine its outcome at a hearing. Where the Licensing Authority has applied to review an authorisation, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. (See paragraph 12.3).
- 10.5 The Licensing Authority may decide that no action is necessary if it finds that the review does not require it to take any appropriate steps to promote the licensing objectives. In appropriate cases the Authority may issue an informal warning to the licence holder and/or recommend improvement within a particular period of time. Any warnings or recommendations will be issued in writing.
- 10.6 Where the Licensing Authority considers that action under its statutory powers

is appropriate it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
- to exclude a licensable activity from the scope of the licence;
- to remove the designated premises supervisor;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

10.7 In cases where the crime prevention objective is being undermined the Licensing Authority will give serious consideration to revoking the licence even in the first instance.

## 11. Enforcement

11.1 The Licensing Authority intends to establish protocols with the police and any other relevant enforcement body on enforcement issues. These protocols will provide for the targeting of agreed problem and high-risk premises, which require greater attention, while providing a lighter touch approach in respect of low risk premises which are well run.

11.2 In general, action will only be taken in accordance with the Council's enforcement policy, as adopted at the time, which reflects the Council's obligations relating to enforcement and is consistent with the Regulators Compliance Code. To this end, the key principles of consistency, openness, proportionality, clear standards and practices, courtesy and helpfulness and training will be maintained.

Cambridge City Council's enforcement policy is available on our website [www.cambridge.gov.uk/content/enforcement-policy](http://www.cambridge.gov.uk/content/enforcement-policy)

## 12. Administration, exercise and delegation of functions

12.1 The functions of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

12.2 Many of the decisions and functions will be largely administrative in nature. In the interests of speed, efficiency and cost-effectiveness these will, for the most part, be delegated to officers as set out in the Cambridge City Council Constitution

12.3 In determining applications where the Licensing Authority has acted as a responsible authority, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. This will be achieved by allocating distinct functions to different Officers within the authority, so the Officer presenting the report to the Sub-Committee and advising the Members will be a different individual to the Officer who is

acting as the responsible authority. The Officer acting as the responsible authority will not be involved in the decision making process.

### 13. Effective Date and Review

- 13.1 This policy statement will take effect from October 2017.
- 13.2 The policy statement will be kept under review and will remain in existence for a period of up to 5 years. It will be subject to review and further consultation before October 2022, or as required by law.

### 14. Contact details, advice and guidance

- 14.1 Applicants can obtain further details about the licensing and application processes, including application forms and fees from:

website: [www.cambridge.gov.uk](http://www.cambridge.gov.uk)

e-mail: [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)

telephone: 01223 457879

fax: 01223 457909

post: Licensing, Environmental Services, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

in person: Customer Service Centre, Mandela House, 4, Regent Street, Cambridge, CB2 1BY (Monday to Friday 09:00-17:15)

- 14.2 The Licensing Authority has also published further documents to accompany this policy containing additional details about each type of application and the review process. These can be viewed at <https://www.cambridge.gov.uk/guidance-for-applicants>
- 14.3 This policy can be made available in large print on request and similarly translations can be made available in a variety of languages. Please contact us for further help or assistance.
- 14.4 The Council, Police and Fire Authorities will be willing to give advice and guidance to applicants.
- 14.5 Informal discussion is encouraged prior to the application process in order to resolve any potential problems and avoid unnecessary hearings and appeals.

15. Responsible Authorities are:

**The Licensing Authority**

Licensing, Environmental Services, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

Tel: 01223 457879 Fax: 01223 457909 e-mail: [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)

**The Chief Officer of Police**

The Chief Officer, Cambridgeshire Constabulary, Southern Division, Police Station, Parkside, Cambridge, CB1 1JG

Telephone: 01223 823397 Fax: 01223 823232

**The Fire Authority**

Fire Protection, Cambridge Fire Station, Parkside, Cambridge, CB1 1JF

Email: [danny.hans@cambsfire.gov.uk](mailto:danny.hans@cambsfire.gov.uk)

**Planning**

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

Telephone: 01223 457100

e-mail: [planning@cambridge.gov.uk](mailto:planning@cambridge.gov.uk)

**Environmental Health**

The Environmental Health Manager, Environmental Services, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

Telephone: 01223 457890 Fax: 01223 457909 e-mail: [env.services@cambridge.gov.uk](mailto:env.services@cambridge.gov.uk)

**Child Protection**

Child Protection Services, Licensing Applications, OCYPS, PO Box 144, St Ives, Cambs, PE27 9AU

Telephone: 03450455203

[Referralcentre2.children@cambridgeshire.gov.uk](mailto:Referralcentre2.children@cambridgeshire.gov.uk)

**Trading Standards**

Cambridgeshire County Council, PO Box 450, Great Cambourne, Cambridge, CB23 6ZR

e-mail: [trading.standards@cambridgeshire.gov.uk](mailto:trading.standards@cambridgeshire.gov.uk)

**Public Health**

The Director of Public Health, C/O Head of Public Health Programmes, Cambridgeshire County Council, Scott House Box No, SC0 2213, 5 George Street, Huntingdon, PE29 3AD

**Home Office – Immigration Enforcement**

Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY

In addition, for vessels:

**Environment Agency**

The Team Leader, Great Ouse & Stour Waterways, The Environment Agency, Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough, PE2 5ZR.

Telephone: 01733 464072

e-mail: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk), quoting Great Ouse & Stour Waterways

**Conservators of the River Cam**

The River Manager

Conservators of the River Cam

Baits Bite Lock, Fen Road, Milton, Cambridge, CB24 6AF

Telephone/Fax 01223 863785

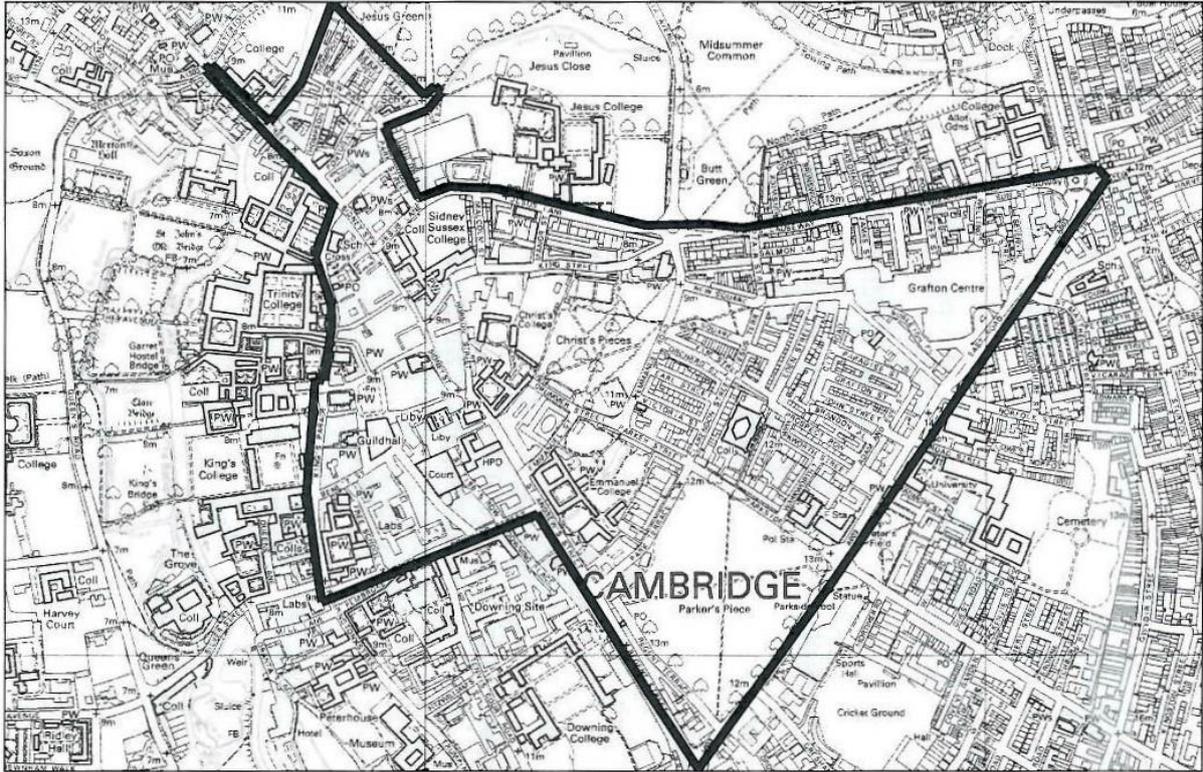
e-mail [river.manager@camconservators.org.uk](mailto:river.manager@camconservators.org.uk)

**Maritime & Coastguard Agency**

Surveyor in Charge, Harwich Marine Office, Maritime & Coastguard Agency, East Terrace, Walton-on-Naze, Essex, CO14 8PY

**Appendix 1 – Cumulative Impact Area City Centre**

APPENDIX A – Current Statement of Licensing Policy

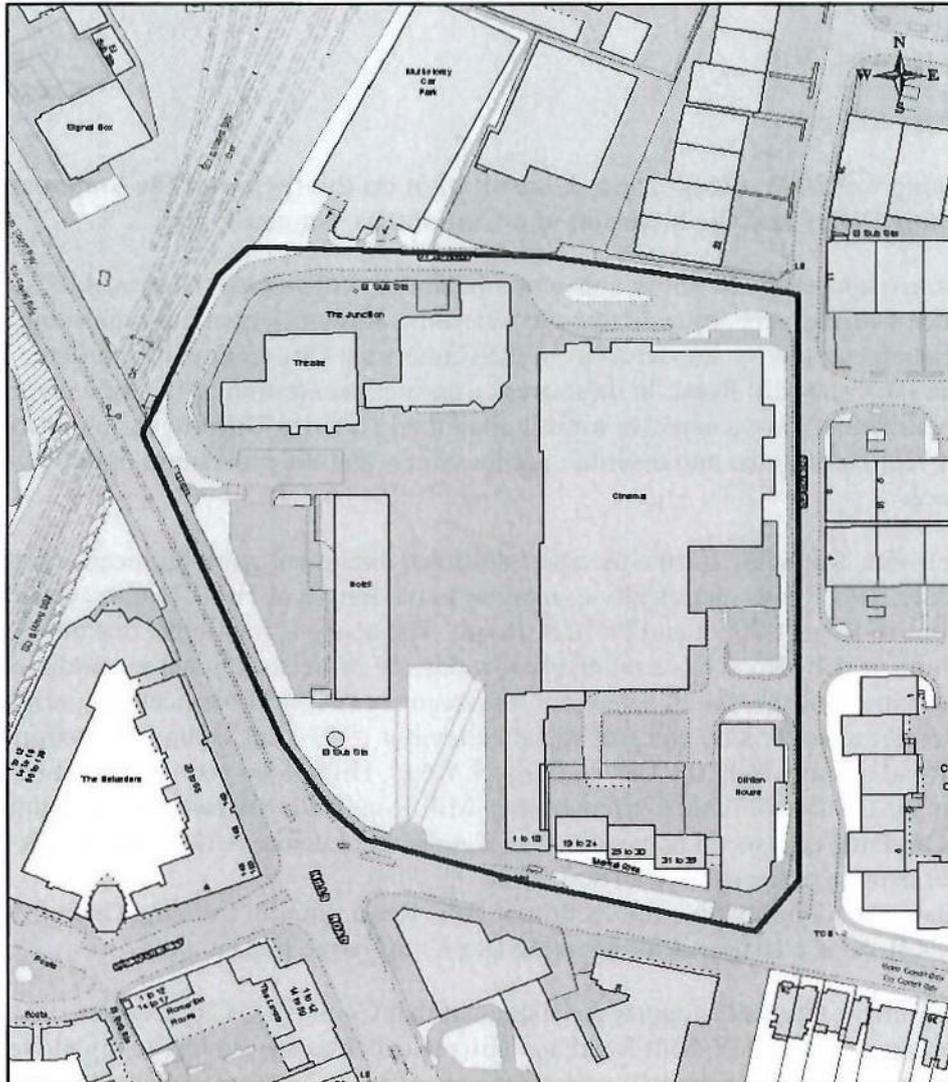


Streets in Cumulative Impact Area Market Ward			
Adam and Eve Street	Eden Street	Malcolm Street	Quayside

APPENDIX A – Current Statement of Licensing Policy

All Saints Passage	Elm Street	Manor Street	Regent Street
Beaufort Place	Emmanuel Street	Market Hill	Regent Terrace
Belmont Place	Fair Street	Market Passage	Round Church Street
Benet Street	Fitzroy Lane	Market Street	Salmon Lane
Brandon Place	Fitzroy Street	Melbourne Place	Severn Place
Burleigh Place	Free School Lane	Napier Street	Short Street
Burleigh Street	Gonville Place	New Park Street	Sidney Street
Clarendon Street	Grafton Street	New Square	St Andrews Street
Camden Court	Green Street	Newmarket Road	St Johns Road
Causeway Passage	Guildhall Place	Orchard Street	St Marys Street
Christ Church Street	Hobson Street	Paradise Street	St Tibbs Row
Christs Lane	Hobsons Passage	Park Parade	Sun Street
City Road	James Street	Park Street	Sussex Street
Corn Exchange Street	Jesus Lane	Park Terrace	Thompson's Lane
Crispin Place	John Street	Parkside	Trinity Street
Dover Street	King Street	Parsons Court	Warkworth Street
Downing Street	Kings Parade	Peas Hill	Warkworth Terrace
Drummer Street	Lower Park Street	Petty Cury	Wellington Street
Earl Street	Magdalene Street	Portugal Place	Willow Place
East Road	Maids Causeway	Prospect Row	Willow Walk

**APPENDIX 2 – CUMULATIVE IMPACT AREA:  
CAMBRIDGE LEISURE PARK**



**APPENDIX 3 - CAMBRIDGE CITY CUMULATIVE IMPACT POLICY REVIEW 2017**

Three years data has been analysed, though it should be noted that we are dependent

upon crimes and incidents having an alcohol marker which is not reliably the case.

From the information that is recorded, it can be seen that there is a correlation between the number of licenced premises and the number of alcohol related crime and incidents per ward in Cambridge City.

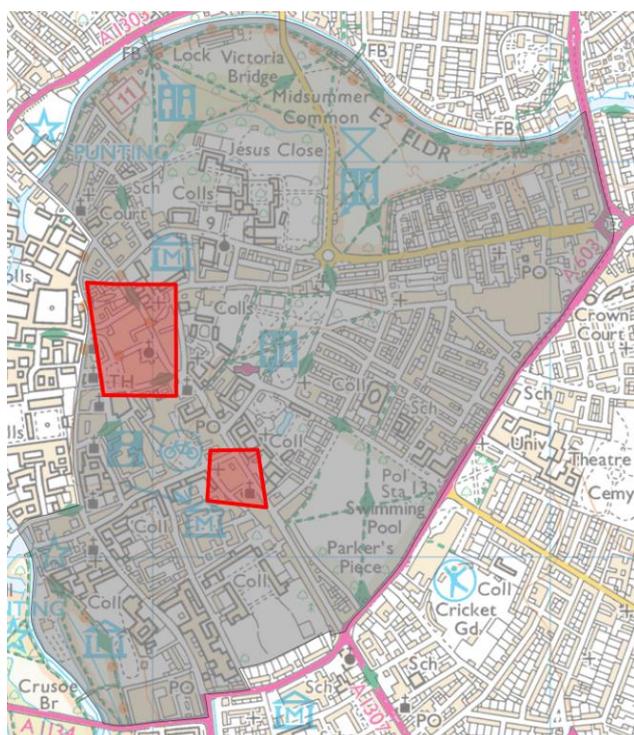
		Alcohol Related Crime and Incidents				
Ward	Licensed Premises	Ward	2014/15	2015/16	2016/17	TOTAL
MA	206	MA	984	625	570	2179
PE	72	PE	349	223	138	710
TR	48	AB	365	120	98	583
CO	37	KH	369	106	85	560
NE	35	AR	350	106	94	550
CA	32	TR	337	88	99	524
AR	26	CO	281	80	62	423
AB	23	EC	263	62	65	390
RO	22	WC	213	88	87	388
KH	21	CH	244	52	52	348
WC	20	RO	184	72	61	317
CH	18	QE	168	52	32	252
EC	14	CA	94	31	36	161
QE	12	NE	67	34	26	127
<b>TOTAL</b>	<b>586</b>	<b>TOTAL</b>	<b>4268</b>	<b>1739</b>	<b>1505</b>	<b>7512</b>

There has been a decrease in the number of alcohol related crimes and incidents recorded when compared year on year, the most significant of which occurred in 2015/2016. This reduction in alcohol related crime and incidents has not been seen in other Districts suggesting that work undertaken in Cambridge City has been effective.

## MARKET WARD

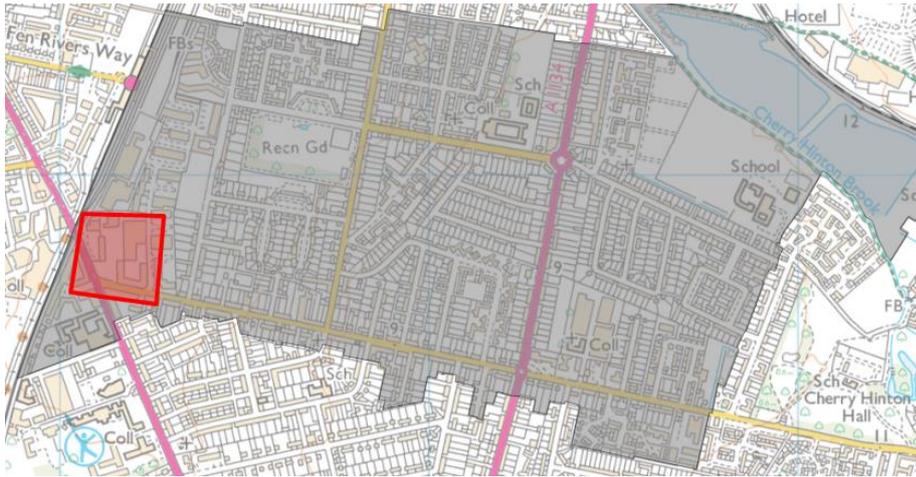
There are two main hot spots for crime and incidents in Market Ward, both situated within the current Cumulative Impact Area:

- St Andrew's Street features heavily in crime and incident data, 12% of all alcohol related crime and incidents in Market Ward occur on St Andrews Street; and
- Sidney Street where there is a mixture of violent crime occurring in the vicinity of night clubs. During the daytime, crime and incidents relate to street drinking and aggressive begging. 26% of all alcohol related crime and ASB in Market Ward occurs within this hotspot.



## COLERIDGE

There continues to be a Hotspot for alcohol related crime and incidents around the Cambridge Leisure Park with the predominant theme being violent crime and theft from person. 30% of all alcohol related violent crime and violent related ASB recorded in Coleridge happens at the Cambridge Leisure Park.

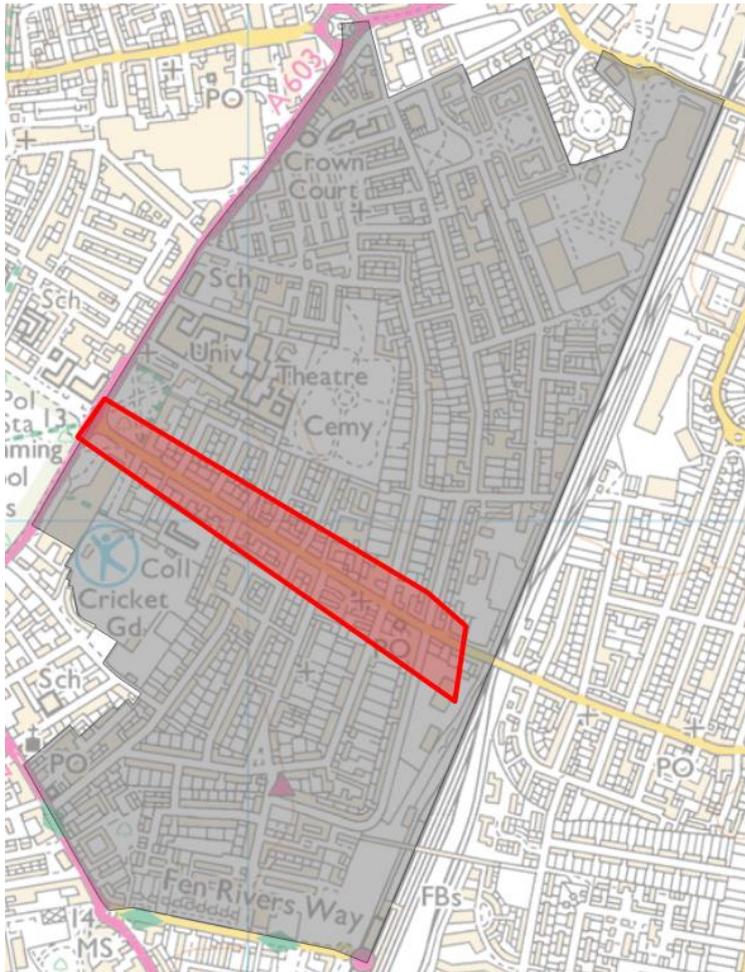


## PETERSFIELD

There are two hotspots in Petersfield.

### Mill Road:

- Crime relates to aggressive drunks stealing alcohol from shops, being evicted from pubs and around the vicinity of fast food shops.
- 42% of all recorded violent alcohol related crime and alcohol related ASB in Petersfield occurs on Mill Road.
- 42% of all licensed premises in Petersfield are on Mill Road.
- Mill Road has a total of 30 licensed premises, these comprise of two public houses, six convenience stores, 15 restaurants/café/take-away and a Wine Merchant.



## PETERSFIELD AND TRUMPINGTON

### Hills Road:

- Crime relates to aggressive drunks attempting to steal alcohol from shops on Hills Road, staff who attempt to intervene have been assaulted;
- High level of reporting from convenience stores who are met with violent reactions when they refuse to sell alcohol to those who are heavily intoxicated. In addition, aggressive beggars congregate outside convenience stores that have cash machines immediately outside the store, begging so that they can then purchase alcohol;
- Several schools have reported that people are sleeping rough within their grounds, when approached, they have become aggressive and there have been incidents of indecent exposure; and
- There has been a high level of reports regarding members of the street life community being drunk and vocally aggressive in Hills Road.



## Conclusion

It is evident from the decrease in crime and incidents that current initiatives are effective and are having a positive impact. However, the previously identified hotspots for alcohol related crime and incidents continue to be hotspots in Cambridge City and therefore it is recommended that the current Community Impact Areas remain in place.

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APPENDIX B – Summary of Responses to Licensing Policy

Area of Policy	Ref	Respondent	Summary of Comments	Consideration/appraisal	Response
General	N/A	Individual Respondent	Wants to see more done to regulate street trading within the wider city limits and incorporated within the policy. Feels residents are powerless to object to businesses trading in certain areas and has seen a particular growth in kebab vans.	Comment considered.	Street Trading is not covered by Licensing Act 2003 nor covered in the Statement of Licensing Policy. Street Trading has it's own Street Trading Policy and therefore these comments are relevant to that policy. In terms of residents being powerless, if a business such as a mobile food van wishes to sell hot food after 11pm (or sell alcohol at any time), a premises licence would be required and members of the public have the right to make representations against the grant of any premises licence.

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# CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING - DRAFT POLICY

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## CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING POLICY

Cambridge is a unique blend of market town, sub-regional centre, national and international tourist attraction and centre of excellence for education and research. It is a city of great beauty and is renowned for the qualities of its streets, spaces and buildings.

Cambridge City Council (the Licensing Authority), in association with local partnerships, wants Cambridge to be vibrant, socially mixed, safe, convenient and enjoyable, where all residents feel integrated into the life of the City and a part of its success.

Cambridge City Council has a clear vision to lead a united city, 'One Cambridge – Fair for All', in which economic dynamism and prosperity are combined with social justice and equality. This is a vision shared with Cambridge citizens and partner organisations. Our vision includes:

- An international city which celebrates its diversity and actively tackles discrimination on gender, race, nationality, ethnic background, religion, age, disability, gender identity, and sexual orientation.
- A city in which all citizens feel that they are listened to and have the opportunity to influence public decision making, and which values, supports and responds to individual and community initiatives.
- A city where all citizens and organisations appreciate their duties as well as their rights, where people are free to enjoy themselves but also show consideration for others, and where the community works together to reduce harm and nuisance including by education and, where needed, robust enforcement of the law.

The overarching objectives of Cambridge City Council in licensing premises are to:

- Promote the Authority's visions and values
- Protect the rights and health and safety of the general public, workers, residents, businesses, minority and vulnerable groups
- Ensure the principles of consistency, transparency, accountability and the promotion of good standards in licensing
- Demonstrate compliance with statutory responsibilities in relation to procedures and enforcement
- Ensure consistent and transparent decision making

It is recognised that licensed entertainment provides a valuable contribution towards the economy of Cambridge and we seek to balance the needs of local business holders and licensees, whilst protecting those of local residents. The City of Cambridge was awarded purple flag status in September 2019. A Purple Flag helps members of the public to identify town

and city centres offering an entertaining, diverse, safe and enjoyable night out.

## 1. Introduction

- 1.1 This Licensing Policy Statement has been produced in accordance with the requirements of the Licensing Act 2003 ('the Act') and is in line with guidance issued under Section 182 of the Act.
- 1.2 The policy relates to all those licensing activities identified as falling within the provisions of the Act, namely: -
  - Retail sale of alcohol
  - Supply of alcohol by or on behalf of a club, or to the order to a member of the club
  - The provision of regulated entertainment
  - The provision of late night refreshment
- 1.3 The policy relates to all types of premises covered by the Act.
- 1.4 The Licensing Authority will take the policy into account where its discretion is engaged (i.e. at a hearing following representations).
- 1.5 Nothing in this policy will undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits.
- 1.6 The Licensing Authority may depart from this policy if the individual circumstances of any case merit such a decision in the interest of the promotion of the licensing objectives. Full reasons will be given for departing from the policy.

## 2. Objectives

- 2.1 The Licensing Authority has a duty under the Act to carry out its licensing functions by promoting the licensing objectives, which are: -
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance, and
  - The protection of children from harm.

Each objective has equal importance.

- 2.2 In carrying out its licensing functions, the Licensing Authority must also have regard to the licensing objectives, its Policy Statement and any statutory guidance under the Act and is bound by The Human Rights Act 1998. The Council must also fulfill its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge. The Statement of Licensing Policy recognises the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 2.3 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not be seen as a means for solving all problems within the community. However, the licensing function is an important means of achieving the objectives. The Licensing Authority will continue to work in partnership with its neighbouring authorities, the police, other agencies, local liaison groups, businesses and individuals towards the achievement of the licensing objectives through good practice.
- 2.4 The Licensing Authority will expect individual applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. Applicants should include in their operating schedule the steps, which they consider necessary to promote the licensing objectives. If the steps are insufficient, or if the information given in the operating schedule does not enable a responsible authority or any other person to assess whether the steps proposed are satisfactory, it is more likely that relevant representations will be received, usually leading to a hearing.
- 2.5 All responsible authorities (listed in section 15) will have the chance to comment on all applications received and will provide evidence from their own areas of expertise if they believe an application would impact on one or more of the licensing objectives. All evidence provided will be taken into account by the Licensing Authority at any subsequent hearing.

### 3. Consultation

- 3.1 In preparing this policy statement the Licensing Authority has consulted with the following:
- the Chief Officer of Police for Cambridgeshire
  - the Chief Officer of the Cambridgeshire Fire and Rescue Service
  - persons/bodies representative of the Local Authority with the function of public health
  - persons/bodies representative of local holders of premises licences
  - persons/bodies representative of local holders of club premises certificates
  - persons/bodies representative of local holders of personal licences

- persons/bodies representative of businesses and residents in the City of Cambridge
- persons/bodies representative of Child Protection Services at Cambridgeshire County Council
- other organisations as appear to the Licensing Authority to be affected by licensing matters, including local community, cultural, educational and entertainment organisations.

3.2 We have considered the views of all those consulted prior to determining this policy.

## 4. Fundamental Principles

4.1 Licensing is about regulating licensable activities on premises, such as qualifying clubs, pubs and temporary events which fall within the terms of the Act. Any conditions imposed will focus on matters that individual licensees and others in possession of relevant authorisations are able to control.

4.2 In addressing these matters, the Licensing Authority will primarily focus on the direct impact the activities taking place at the licensed premises will have on those living, working or engaged in normal activity in the area concerned.

4.3 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in Cambridge.

## 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 publish a Cumulative Impact Assessment 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 Cumulative Impact Assessment 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 and is now the Cumulative Impact Assessment.
- 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 Cumulative Impact Assessment, which is separate to this Statement of Licensing Policy. Further information on the Cumulative Impact Assessment and the areas which it covers can be found in the Cumulative Impact Assessment document.

## 6. Licensing Hours

- 6.1 Flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the potential for disorder and disturbance. Licensing hours should not inhibit the development of a thriving and safe evening and night-time economy. This is important for investment, local employment, tourism and local services associated with the night-time economy. Providing customers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 6.2 Subject to the policies regarding cumulative impact in the areas of the City specified in paragraph 5.8, shops, stores and supermarkets will generally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless representations raise good reasons based on the licensing objectives, for restricting those hours, for example, a limitation may be appropriate following police representations in the case of shops known to be a focus of disorder and disturbance.
- 6.3 The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When issuing a licence, following receipt of relevant representations, stricter conditions on noise control are likely to be imposed in the case of premises that are situated in predominantly residential areas. However, this should not limit opening

hours without regard to the individual merits of any application.

## 7. Children and Licensed Premises

- 7.1 Cambridge City Council will consider its Safeguarding for Children and Vulnerable Adults Policy when determining licensing applications. We are committed to safeguarding and promoting the welfare of children, young people and vulnerable adults.
- 7.2 It is an offence under the 2003 Licensing Act to:
- Permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a TEN; and
  - To permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or TEN.
- 7.3 There are a great variety of premises for which licences may be sought including theatres, cinemas, restaurants, pubs, nightclubs, cafes, take away, community halls and schools. Access by children to any premises will not be limited unless it is considered necessary for the prevention of physical, moral or psychological harm to them.
- 7.4 Conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licensee or club or person who has been given a temporary event notice.
- 7.5 When deciding whether to limit access to children, the Licensing Authority will consider each application on its merits. Particular areas that will give rise to concern in respect of children, would include premises –
- where entertainment or services of an adult or sexual nature are commonly provided
  - where there is a strong element of gambling on the premises
  - with a known association with drug taking or dealing
  - where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
  - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
  - where there is a known association with the provision of illicit tobacco and alcohol

- where the supply of alcohol is in close proximity to services where young vulnerable people may frequent
- 7.6 The range of alternatives which may be considered for limiting access to children where that is necessary for the prevention of harm to children are:
- restrictions on the hours when children may be present
  - age restrictions (below 18)
  - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place
  - restrictions or exclusions when certain activities are taking place
  - requirements for accompanying adults
  - full exclusion of those people under 18 from the premises when any licensable activities are taking place
  - restrictions on the parts of premises to which children may have access.
- 7.7 In the case of premises which are used for film exhibitions Cambridge City Council will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.
- 7.8 The Licensing Authority recognises the Child Protection Services of Cambridgeshire County Council as being competent to advise on matters relating to the protection of children from harm.
- 7.9 The Licensing Authority commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.

## 8. Licence Conditions

- 8.1 A key concept of the Act is for conditions to be attached to licences and certificates, which are tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.
- 8.2 The Licensing Authority cannot attach conditions to premises licences and club premises certificates unless they are considered appropriate for the promotion of the licensing objectives. The Licensing Authority may only attach conditions (except for statutory mandatory conditions and conditions drawn from the operating schedule) if relevant representations have been

received. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation. Blanket standard conditions will not be imposed without regard to the merits of the individual case.

- 8.3 Conditions attached to premises licences and club premises certificates under prevention of crime and disorder will, so far as possible, reflect local crime prevention strategies.
- 8.4 In deciding what conditions should be attached to licences and certificates to promote the licensing objectives, the Licensing Authority will be aware of the need to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature. Only appropriate conditions will be imposed on such events. Where there is any indication that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how the situation might be reversed.
- 8.5 Applicants should consider the measures which they propose to control noise nuisance from the premises or from departing customers. Depending on the individual circumstances, this may include:
- Sound limitation devices
  - Acoustic lobbies
  - Acoustic double glazing
  - Noise insulation
  - Specifying non amplified or acoustic music only
  - Notices requesting customers to leave quietly
  - A dedicated taxi service
  - Use of door supervisors at exit points
  - A winding down period during which music is turned down and lights up, alcohol service ceases and sales of food and hot and cold soft drinks continues and requests are made for customers to leave quietly.

## 9. Integrating Strategies and the avoidance of duplication

- 9.1 By consultation and liaison, the Licensing Authority will secure the proper integration of this licensing policy with local crime prevention, Cambridgeshire Health & Wellbeing Strategy, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the management of the city and the night-time economy. Many of these strategies are not directly related to the promotion of the licensing objectives, but, indirectly impact upon them.
- 9.2 Where any protocols to be agreed with the police identify a particular need to disperse people from the city swiftly and safely to avoid concentrations which could lead to disorder and disturbance, the Licensing Authority will aim to inform those responsible for providing local transportation so that arrangements can be made to reduce the potential for problems to occur.

- 9.3 The Council's Licensing Committee will receive, when appropriate, reports on:
- the needs of the local tourist economy for the area to ensure that these are reflected in their considerations
  - the employment situation in the area and the need for new investment and employment where appropriate.
- 9.4 Planning, building control and the licensing regimes will be separated to avoid duplication and inefficiency. Licensing applications will not be a re-run of the planning application and will not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. When a terminal hour has been set as a condition of planning permission that is different from the licensing hours, the applicant must observe the earlier of the two closing times.
- 9.5 So far as is possible, the policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators.
- 9.6 The Licensing Authority will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing, circus activity, street art and theatre, including the performance of a wide range of traditional and historic plays for the wider cultural benefit of the community which also balances the evening economy. The Licensing Authority will balance the prevention of disturbance in neighbourhoods with these wider cultural benefits, particularly cultural benefits for children. Only appropriate conditions will be imposed on such events.
- 9.7 The absence of cultural provision in any area can lead to young people being diverted into anti-social activities that damage local communities and the young people involved themselves.
- 9.8 Cambridge City Council has an important role in coordinating events in the City and to ensure that cultural diversity thrives. The Council currently has five licensed open spaces. These are: Parkers Piece; Jesus Green; Midsummer Common; Coldhams Common and the grounds of Cherry Hinton Hall.
- 9.9 The Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 9.10 Applicants will be encouraged to make themselves aware of any relevant

planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their operating schedule.

- 9.11 The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation or display discriminatory signs.

## 10. Licence Reviews

- 10.1 The process set out in the Licensing Act 2003 for reviewing premises licences represents a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 10.2 Responsible authorities (including the Licensing Authority) and other parties can apply for the review of a licence.
- 10.3 The Licensing Authority will work in partnership with other responsible authorities to achieve the promotion of the licensing objectives and will give Licence or Certificate holders early warning of any concerns identified at a premises. The Licensing Authority will also encourage other responsible authorities to do the same.
- 10.4 When a review has been requested the role of the Licensing Authority will be to administer the process and determine its outcome at a hearing. Where the Licensing Authority has applied to review an authorisation, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. (See paragraph 12.3).
- 10.5 The Licensing Authority may decide that no action is necessary if it finds that the review does not require it to take any appropriate steps to promote the licensing objectives. In appropriate cases the Authority may issue an informal warning to the licence holder and/or recommend improvement within a particular period of time. Any warnings or recommendations will be issued in writing.
- 10.6 Where the Licensing Authority considers that action under its statutory powers is appropriate it may take any of the following steps:
- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
  - to exclude a licensable activity from the scope of the licence;
  - to remove the designated premises supervisor;
  - to suspend the licence for a period not exceeding three months;

- to revoke the licence.

10.7 In cases where the crime prevention objective is being undermined the Licensing Authority will give serious consideration to revoking the licence even in the first instance.

## 11. Enforcement

11.1 The Licensing Authority intends to establish protocols with the police and any other relevant enforcement body on enforcement issues. These protocols will provide for the targeting of agreed problem and high-risk premises, which require greater attention, while providing a lighter touch approach in respect of low risk premises which are well run.

11.2 In general, action will only be taken in accordance with the Council's enforcement policy, as adopted at the time, which reflects the Council's obligations relating to enforcement and is consistent with the Regulators Compliance Code. To this end, the key principles of consistency, openness, proportionality, clear standards and practices, courtesy and helpfulness and training will be maintained.

Cambridge City Council's enforcement policy is available on our website [www.cambridge.gov.uk/content/enforcement-policy](http://www.cambridge.gov.uk/content/enforcement-policy)

## 12. Administration, exercise and delegation of functions

12.1 The functions of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

12.2 Many of the decisions and functions will be largely administrative in nature. In the interests of speed, efficiency and cost-effectiveness these will, for the most part, be delegated to officers as set out in the Cambridge City Council Constitution

12.3 In determining applications where the Licensing Authority has acted as a responsible authority, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. This will be achieved by allocating distinct functions to different Officers within the authority, so the Officer presenting the report to the Sub-Committee and advising the Members will be a different individual to the Officer who is acting as the responsible authority. The Officer acting as the responsible authority will not be involved in the decision making process.

## 13. Effective Date and Review

- 13.1 This policy statement will take effect from February 2021.
- 13.2 The policy statement will be kept under review and will remain in existence for a period of up to 5 years. It will be subject to review and further consultation before February 2026, or as required by law.

#### 14. Contact details, advice and guidance

- 14.1 Applicants can obtain further details about the licensing and application processes, including application forms and fees from:

website: [www.cambridge.gov.uk](http://www.cambridge.gov.uk)

e-mail: [commercial@cambridge.gov.uk](mailto:commercial@cambridge.gov.uk)

telephone: 01223 457879

fax: 01223 457909

post: Commercial & Licensing, Environmental Services,  
Cambridge City Council, PO Box 700,  
Cambridge, CB1 0JH

in person: Customer Service Centre, Mandela House, 4, Regent  
Street, Cambridge, CB2 1BY (Monday to Friday 09:00-  
17:15)

- 14.2 The Licensing Authority has also published further documents to accompany this policy containing additional details about each type of application and the review process. These can be viewed at <https://www.cambridge.gov.uk/guidance-for-applicants>
- 14.3 This policy can be made available in large print on request and similarly translations can be made available in a variety of languages. Please contact us for further help or assistance.
- 14.4 The Council, Police and Fire Authorities will be willing to give advice and guidance to applicants.
- 14.5 Informal discussion is encouraged prior to the application process in order to resolve any potential problems and avoid unnecessary hearings and appeals.

#### 15. Responsible Authorities are:

**The Licensing Authority**

Commercial & Licensing, Environmental Services, Cambridge City Council,  
PO Box 700, Cambridge, CB1 0JH  
Tel: 01223 457879 Fax: 01223 457909 e-  
mail: [commercial@cambridge.gov.uk](mailto:commercial@cambridge.gov.uk)

**The Chief Officer of Police**

The Chief Officer, Cambridgeshire Constabulary, Southern Division,  
Police Station, Parkside, Cambridge, CB1 1JG  
Telephone: 01223 823397 Fax: 01223 823232

**The Fire Authority**

Fire Protection, Cambridge Fire Station, Parkside, Cambridge, CB1 1JF  
Email: [danny.hans@cambsfire.gov.uk](mailto:danny.hans@cambsfire.gov.uk)

**Planning**

Environment & Planning, Cambridge City Council, The Guildhall,  
Cambridge, CB2 3QJ  
Telephone: 01223 457100  
e-mail: [planning@cambridge.gov.uk](mailto:planning@cambridge.gov.uk)

**Environmental Health**

The Environmental Health Manager, Environmental Services, Cambridge  
City Council, PO Box 700, Cambridge, CB1 0JH  
Telephone: 01223 457890 Fax: 01223 457909 e-  
mail: [commercial@cambridge.gov.uk](mailto:commercial@cambridge.gov.uk)

**Child Protection**

Child Protection Services, Licensing Applications, OCYPS, PO Box 144, St  
Ives, Cambs, PE27 9AU  
Telephone: 03450455203  
[Referralcentre2.children@cambridgeshire.gov.uk](mailto:Referralcentre2.children@cambridgeshire.gov.uk)

**Trading Standards**

Cambridgeshire County Council, PO Box 450, Great Cambourne,  
Cambridge, CB23 6ZR  
e-mail: [trading.standards@cambridgeshire.gov.uk](mailto:trading.standards@cambridgeshire.gov.uk)

**Public Health**

The Director of Public Health, C/O Head of Public  
Health Programmes, Cambridgeshire County Council,  
Scott House Box No, SC0 2213, 5 George Street,  
Huntingdon, PE29 3AD

**Home Office – Immigration Enforcement**

Alcohol Licensing Team, Lunar House, 40 Wellesley  
Road, Croydon, CR9 2BY

In addition, for vessels:

**Environment Agency**

The Team Leader, Great Ouse & Stour Waterways, The Environment Agency, Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough, PE2 5ZR.

Telephone: 01733 464072

e-mail: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk), quoting Great Ouse & Stour Waterways

**Conservators of the River Cam**

The River Manager

Conservators of the River Cam

Baits Bite Lock, Fen Road, Milton, Cambridge, CB24 6AF

Telephone/Fax 01223 863785

e-mail [river.manager@camconservators.org.uk](mailto:river.manager@camconservators.org.uk)

**Maritime & Coastguard Agency**

Surveyor in Charge, Harwich Marine Office, Maritime & Coastguard Agency, East Terrace, Walton-on-Naze, Essex, CO14 8PY

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**CAMBRIDGE CITY COUNCIL  
STATEMENT OF LICENSING - DRAFT POLICY**

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## CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING POLICY

Cambridge is a unique blend of market town, sub-regional centre, national and international tourist attraction and centre of excellence for education and research. It is a city of great beauty and is renowned for the qualities of its streets, spaces and buildings.

Cambridge City Council (the Licensing Authority), in association with local partnerships, wants Cambridge to be vibrant, socially mixed, safe, convenient and enjoyable, where all residents feel integrated into the life of the City and a part of its success.

Cambridge City Council has a clear vision to lead a united city, 'One Cambridge – Fair for All', in which economic dynamism and prosperity are combined with social justice and equality. This is a vision shared with Cambridge citizens and partner organisations. Our vision includes:

- An international city which celebrates its diversity and actively tackles discrimination on gender, race, nationality, ethnic background, religion, age, disability, gender identity, and sexual orientation.
- A city in which all citizens feel that they are listened to and have the opportunity to influence public decision making, and which values, supports and responds to individual and community initiatives.
- A city where all citizens and organisations appreciate their duties as well as their rights, where people are free to enjoy themselves but also show consideration for others, and where the community works together to reduce harm and nuisance including by education and, where needed, robust enforcement of the law.

The overarching objectives of Cambridge City Council in licensing premises are to:

- Promote the Authority's visions and values
- Protect the rights and health and safety of the general public, workers, residents, businesses, minority and vulnerable groups
- Ensure the principles of consistency, transparency, accountability and the promotion of good standards in licensing
- Demonstrate compliance with statutory responsibilities in relation to procedures and enforcement
- Ensure consistent and transparent decision making

It is recognised that licensed entertainment provides a valuable contribution towards the economy of Cambridge and we seek to balance the needs of local business holders and licensees, whilst protecting those of local residents. The City of Cambridge was awarded purple flag status in September 2019. A Purple Flag helps members of the public to identify town

and city centres offering an entertaining, diverse, safe and enjoyable night out.

## 1. Introduction

- 1.1 This Licensing Policy Statement has been produced in accordance with the requirements of the Licensing Act 2003 ('the Act') and is in line with guidance issued under Section 182 of the Act.
- 1.2 The policy relates to all those licensing activities identified as falling within the provisions of the Act, namely: -
  - Retail sale of alcohol
  - Supply of alcohol by or on behalf of a club, or to the order to a member of the club
  - The provision of regulated entertainment
  - The provision of late night refreshment
- 1.3 The policy relates to all types of premises covered by the Act.
- 1.4 The Licensing Authority will take the policy into account where its discretion is engaged (i.e. at a hearing following representations).
- 1.5 Nothing in this policy will undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits.
- 1.6 The Licensing Authority may depart from this policy if the individual circumstances of any case merit such a decision in the interest of the promotion of the licensing objectives. Full reasons will be given for departing from the policy.

## 2. Objectives

- 2.1 The Licensing Authority has a duty under the Act to carry out its licensing functions by promoting the licensing objectives, which are: -
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance, and
  - The protection of children from harm.

Each objective has equal importance.

- 2.2 In carrying out its licensing functions, the Licensing Authority must also have regard to the licensing objectives, its Policy Statement and any statutory guidance under the Act and is bound by The Human Rights Act 1998. The Council must also fulfill its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge. The Statement of Licensing Policy recognises the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 2.3 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not be seen as a means for solving all problems within the community. However, the licensing function is an important means of achieving the objectives. The Licensing Authority will continue to work in partnership with its neighbouring authorities, the police, other agencies, local liaison groups, businesses and individuals towards the achievement of the licensing objectives through good practice.
- 2.4 The Licensing Authority will expect individual applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. Applicants should include in their operating schedule the steps, which they consider necessary to promote the licensing objectives. If the steps are insufficient, or if the information given in the operating schedule does not enable a responsible authority or any other person to assess whether the steps proposed are satisfactory, it is more likely that relevant representations will be received, usually leading to a hearing.
- 2.5 All responsible authorities (listed in section 15) will have the chance to comment on all applications received and will provide evidence from their own areas of expertise if they believe an application would impact on one or more of the licensing objectives. All evidence provided will be taken into account by the Licensing Authority at any subsequent hearing.

### 3. Consultation

- 3.1 In preparing this policy statement the Licensing Authority has consulted with the following:
- the Chief Officer of Police for Cambridgeshire
  - the Chief Officer of the Cambridgeshire Fire and Rescue Service
  - persons/bodies representative of the Local Authority with the function of public health
  - persons/bodies representative of local holders of premises licences
  - persons/bodies representative of local holders of club premises certificates
  - persons/bodies representative of local holders of personal licences

- persons/bodies representative of businesses and residents in the City of Cambridge
- persons/bodies representative of Child Protection Services at Cambridgeshire County Council
- other organisations as appear to the Licensing Authority to be affected by licensing matters, including local community, cultural, educational and entertainment organisations.

3.2 We have considered the views of all those consulted prior to determining this policy.

## 4. Fundamental Principles

4.1 Licensing is about regulating licensable activities on premises, such as qualifying clubs, pubs and temporary events which fall within the terms of the Act. Any conditions imposed will focus on matters that individual licensees and others in possession of relevant authorisations are able to control.

4.2 In addressing these matters, the Licensing Authority will primarily focus on the direct impact the activities taking place at the licensed premises will have on those living, working or engaged in normal activity in the area concerned.

4.3 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in Cambridge.

## 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 publish a Cumulative Impact Assessment 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 Cumulative Impact Assessment 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 and is now the Cumulative Impact Assessment.
- 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 Cumulative Impact Assessment, which is separate to this Statement of Licensing Policy. Further information on the Cumulative Impact Assessment and the areas which it covers can be found in the Cumulative Impact Assessment document.

## 6. Licensing Hours

- 6.1 Flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the potential for disorder and disturbance. Licensing hours should not inhibit the development of a thriving and safe evening and night-time economy. This is important for investment, local employment, tourism and local services associated with the night-time economy. Providing customers with greater choice and flexibility is an important consideration but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 6.2 Subject to the policies regarding cumulative impact in the areas of the City specified in paragraph 5.8, shops, stores and supermarkets will generally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless representations raise good reasons based on the licensing objectives, for restricting those hours, for example, a limitation may be appropriate following police representations in the case of shops known to be a focus of disorder and disturbance.
- 6.3 The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When issuing a licence, following receipt of relevant representations, stricter conditions on noise control are likely to be imposed in the case of premises that are situated in predominantly residential areas. However, this should not limit opening hours without

regard to the individual merits of any application.

## 7. Children and Licensed Premises

7.1 Cambridge City Council will consider its Safeguarding for Children and Vulnerable Adults Policy when determining licensing applications. We are committed to safeguarding and promoting the welfare of children, young people and vulnerable adults.

7.2 It is an offence under the 2003 Licensing Act to:

- Permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a TEN; and
- To permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or TEN.

7.3 There are a great variety of premises for which licences may be sought including theatres, cinemas, restaurants, pubs, nightclubs, cafes, take away, community halls and schools. Access by children to any premises will not be limited unless it is considered necessary for the prevention of physical, moral or psychological harm to them.

7.4 Conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licensee or club or person who has been given a temporary event notice.

7.5 When deciding whether to limit access to children, the Licensing Authority will consider each application on its merits. Particular areas that will give rise to concern in respect of children, would include premises –

- where entertainment or services of an adult or sexual nature are commonly provided
- where there is a strong element of gambling on the premises
- with a known association with drug taking or dealing
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- where there is a known association with the provision of illicit tobacco and alcohol

- where the supply of alcohol is in close proximity to services where young vulnerable people may frequent
- 7.6 The range of alternatives which may be considered for limiting access to children where that is necessary for the prevention of harm to children are:
- restrictions on the hours when children may be present
  - age restrictions (below 18)
  - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place
  - restrictions or exclusions when certain activities are taking place
  - requirements for accompanying adults
  - full exclusion of those people under 18 from the premises when any licensable activities are taking place
  - restrictions on the parts of premises to which children may have access.
- 7.7 In the case of premises which are used for film exhibitions Cambridge City Council will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.
- 7.8 The Licensing Authority recognises the Child Protection Services of Cambridgeshire County Council as being competent to advise on matters relating to the protection of children from harm.
- 7.9 The Licensing Authority commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.

## 8. Licence Conditions

- 8.1 A key concept of the Act is for conditions to be attached to licences and certificates, which are tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.
- 8.2 The Licensing Authority cannot attach conditions to premises licences and club premises certificates unless they are considered appropriate for the promotion of the licensing objectives. The Licensing Authority may only attach conditions (except for statutory mandatory conditions and conditions drawn from the operating schedule) if relevant representations have been received. Conditions will generally be considered unnecessary if they are

already adequately covered by other legislation. Blanket standard conditions will not be imposed without regard to the merits of the individual case.

8.3 Conditions attached to premises licences and club premises certificates under prevention of crime and disorder will, so far as possible, reflect local crime prevention strategies.

8.4 In deciding what conditions should be attached to licences and certificates to promote the licensing objectives, the Licensing Authority will be aware of the need to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature. Only appropriate conditions will be imposed on such events. Where there is any indication that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how the situation might be reversed.

8.5 Applicants should consider the measures which they propose to control noise nuisance from the premises or from departing customers. Depending on the individual circumstances, this may include:

- Sound limitation devices
- Acoustic lobbies
- Acoustic double glazing
- Noise insulation
- Specifying non amplified or acoustic music only
- Notices requesting customers to leave quietly
- A dedicated taxi service
- Use of door supervisors at exit points
- A winding down period during which music is turned down and lights up, alcohol service ceases and sales of food and hot and cold soft drinks continues, and requests are made for customers to leave quietly.

## 9. Integrating Strategies and the avoidance of duplication

9.1 By consultation and liaison, the Licensing Authority will secure the proper integration of this licensing policy with local crime prevention, Cambridgeshire Health & Wellbeing Strategy, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the management of the city and the night-time economy. Many of these strategies are not directly related to the promotion of the licensing objectives, but indirectly impact upon them.

9.2 Where any protocols to be agreed with the police identify a particular need to disperse people from the city swiftly and safely to avoid concentrations which could lead to disorder and disturbance, the Licensing Authority will aim to inform those responsible for providing local transportation so that arrangements can be made to reduce the potential for problems to occur.

- 9.3 The Council's Licensing Committee will receive, when appropriate, reports on:
- the needs of the local tourist economy for the area to ensure that these are reflected in their considerations
  - the employment situation in the area and the need for new investment and employment where appropriate.
- 9.4 Planning, building control and the licensing regimes will be separated to avoid duplication and inefficiency. Licensing applications will not be a re-run of the planning application and will not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. When a terminal hour has been set as a condition of planning permission that is different from the licensing hours, the applicant must observe the earlier of the two closing times.
- 9.5 So far as is possible, the policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators.
- 9.6 The Licensing Authority will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing, circus activity, street art and theatre, including the performance of a wide range of traditional and historic plays for the wider cultural benefit of the community which also balances the evening economy. The Licensing Authority will balance the prevention of disturbance in neighbourhoods with these wider cultural benefits, particularly cultural benefits for children. Only appropriate conditions will be imposed on such events.
- 9.7 The absence of cultural provision in any area can lead to young people being diverted into anti-social activities that damage local communities and the young people involved themselves.
- 9.8 Cambridge City Council has an important role in coordinating events in the City and to ensure that cultural diversity thrives. The Council currently has five licensed open spaces. These are: Parkers Piece; Jesus Green; Midsummer Common; Coldhams Common and the grounds of Cherry Hinton Hall.
- 9.9 The Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 9.10 Applicants will be encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies

or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their operating schedule.

- 9.11 The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation or display discriminatory signs.

## 10. Licence Reviews

10.1 The process set out in the Licensing Act 2003 for reviewing premises licences represents a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.

10.2 Responsible authorities (including the Licensing Authority) and other parties can apply for the review of a licence.

10.3 The Licensing Authority will work in partnership with other responsible authorities to achieve the promotion of the licensing objectives and will give Licence or Certificate holders early warning of any concerns identified at a premises. The Licensing Authority will also encourage other responsible authorities to do the same.

10.4 When a review has been requested the role of the Licensing Authority will be to administer the process and determine its outcome at a hearing. Where the Licensing Authority has applied to review an authorisation, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. (See paragraph 12.3).

10.5 The Licensing Authority may decide that no action is necessary if it finds that the review does not require it to take any appropriate steps to promote the licensing objectives. In appropriate cases the Authority may issue an informal warning to the licence holder and/or recommend improvement within a particular period of time. Any warnings or recommendations will be issued in writing.

10.6 Where the Licensing Authority considers that action under its statutory powers is appropriate it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
- to exclude a licensable activity from the scope of the licence;
- to remove the designated premises supervisor;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

- 10.7 In cases where the crime prevention objective is being undermined the Licensing Authority will give serious consideration to revoking the licence even in the first instance.

## 11. Enforcement

- 11.1 The Licensing Authority intends to establish protocols with the police and any other relevant enforcement body on enforcement issues. These protocols will provide for the targeting of agreed problem and high-risk premises, which require greater attention, while providing a lighter touch approach in respect of low risk premises which are well run.
- 11.2 In general, action will only be taken in accordance with the Council's enforcement policy, as adopted at the time, which reflects the Council's obligations relating to enforcement and is consistent with the Regulators Compliance Code. To this end, the key principles of consistency, openness, proportionality, clear standards and practices, courtesy and helpfulness and training will be maintained.  
Cambridge City Council's enforcement policy is available on our website [www.cambridge.gov.uk/content/enforcement-policy](http://www.cambridge.gov.uk/content/enforcement-policy)

## 12. Administration, exercise and delegation of functions

- 12.1 The functions of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.
- 12.2 Many of the decisions and functions will be largely administrative in nature. In the interests of speed, efficiency and cost-effectiveness these will, for the most part, be delegated to officers as set out in the Cambridge City Council Constitution
- 12.3 In determining applications where the Licensing Authority has acted as a responsible authority, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. This will be achieved by allocating distinct functions to different Officers within the authority, so the Officer presenting the report to the Sub-Committee and advising the Members will be a different individual to the Officer who is acting as the responsible authority. The Officer acting as the responsible authority will not be involved in the decision-making process.

## 13. Effective Date and Review

- 13.1 This policy statement will take effect from February 2021.
- 13.2 The policy statement will be kept under review and will remain in existence for a period of up to 5 years. It will be subject to review and further consultation before February 2026, or as required by law.

#### 14. Contact details, advice and guidance

- 14.1 Applicants can obtain further details about the licensing and application processes, including application forms and fees from:

website: [www.cambridge.gov.uk](http://www.cambridge.gov.uk)

e-mail: [commercial@cambridge.gov.uk](mailto:commercial@cambridge.gov.uk)

telephone: 01223 457879

fax: 01223 457909

post: Commercial & Licensing, Environmental Services,  
Cambridge City Council, PO Box 700,  
Cambridge, CB1 0JH

in person: Customer Service Centre, Mandela House, 4, Regent  
Street, Cambridge, CB2 1BY (Monday to Friday 09:00-  
17:15)

- 14.2 The Licensing Authority has also published further documents to accompany this policy containing additional details about each type of application and the review process. These can be viewed at <https://www.cambridge.gov.uk/guidance-for-applicants>
- 14.3 This policy can be made available in large print on request and similarly translations can be made available in a variety of languages. Please contact us for further help or assistance.
- 14.4 The Council, Police and Fire Authorities will be willing to give advice and guidance to applicants.
- 14.5 Informal discussion is encouraged prior to the application process in order to resolve any potential problems and avoid unnecessary hearings and appeals.

#### 15. Responsible Authorities are:

**The Licensing Authority**

Commercial & Licensing, Environmental Services, Cambridge City Council,  
PO Box 700, Cambridge, CB1 0JH  
Tel: 01223 457879 Fax: 01223 457909 e-  
mail: [commercial@cambridge.gov.uk](mailto:commercial@cambridge.gov.uk)

**The Chief Officer of Police**

The Chief Officer, Cambridgeshire Constabulary, Southern Division,  
Police Station, Parkside, Cambridge, CB1 1JG  
Telephone: 01223 823397 Fax: 01223 823232

**The Fire Authority**

Fire Protection, Cambridge Fire Station, Parkside, Cambridge, CB1 1JF  
Email: [danny.hans@cambsfire.gov.uk](mailto:danny.hans@cambsfire.gov.uk)

**Planning**

Environment & Planning, Cambridge City Council, The Guildhall,  
Cambridge, CB2 3QJ  
Telephone: 01223 457100  
e-mail: [planning@cambridge.gov.uk](mailto:planning@cambridge.gov.uk)

**Environmental Health**

The Environmental Health Manager, Environmental Services, Cambridge  
City Council, PO Box 700, Cambridge, CB1 0JH  
Telephone: 01223 457890 Fax: 01223 457909 e-  
mail: [commercial@cambridge.gov.uk](mailto:commercial@cambridge.gov.uk)

**Child Protection**

Child Protection Services, Licensing Applications, OCYPS, PO Box 144, St  
Ives, Cambs, PE27 9AU  
Telephone: 03450455203  
[Referralcentre2.children@cambridgeshire.gov.uk](mailto:Referralcentre2.children@cambridgeshire.gov.uk)

**Trading Standards**

Cambridgeshire County Council, PO Box 450, Great Cambourne,  
Cambridge, CB23 6ZR  
e-mail: [trading\\_standards@cambridgeshire.gov.uk](mailto:trading_standards@cambridgeshire.gov.uk)

**Public Health**

The Director of Public Health, C/O Head of Public  
Health Programmes, Cambridgeshire County Council,  
Scott House Box No, SC0 2213, 5 George Street,  
Huntingdon, PE29 3AD

**Home Office – Immigration Enforcement**

Alcohol Licensing Team, Lunar House, 40 Wellesley  
Road, Croydon, CR9 2BY

In addition, for vessels:

**Environment Agency**

The Team Leader, Great Ouse & Stour Waterways, The Environment Agency, Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough, PE2 5ZR.

Telephone: 01733 464072

e-mail: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk), quoting Great Ouse & Stour Waterways

**Conservators of the River Cam**

The River Manager

Conservators of the River Cam

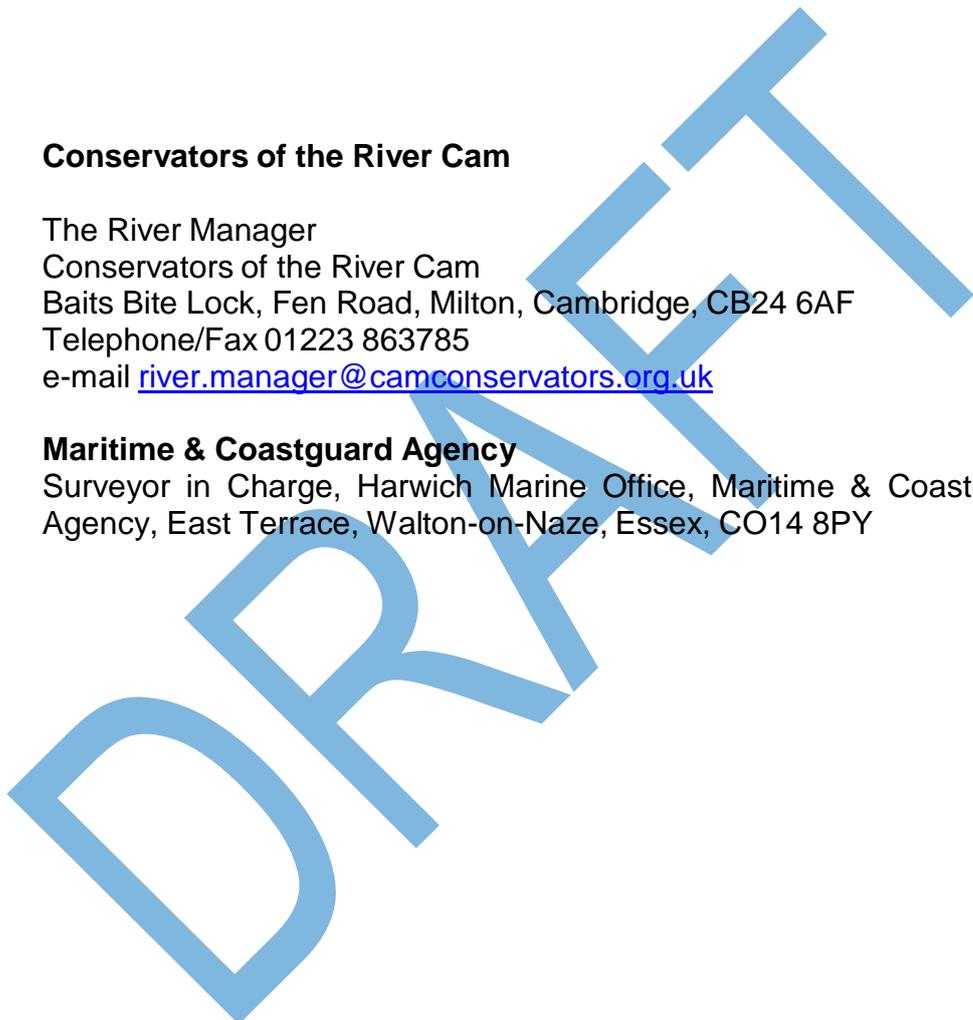
Baits Bite Lock, Fen Road, Milton, Cambridge, CB24 6AF

Telephone/Fax 01223 863785

e-mail [river.manager@camconservators.org.uk](mailto:river.manager@camconservators.org.uk)

**Maritime & Coastguard Agency**

Surveyor in Charge, Harwich Marine Office, Maritime & Coastguard Agency, East Terrace, Walton-on-Naze, Essex, CO14 8PY



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## Cambridge City Council Equality Impact Assessment (EqIA)

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Helen Crowther, Equality and Anti-Poverty Officer at [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) or phone 01223 457046.

Once you have drafted the EqIA please send this to [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, ([graham.saint@cambridge.gov.uk](mailto:graham.saint@cambridge.gov.uk) or 01223 457044).

<b>1. Title of strategy, policy, plan, project, contract or major change to your service</b>
Statement of Licensing Policy
<b>2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)</b>
<a href="https://www.cambridge.gov.uk/content/licensing-overview">https://www.cambridge.gov.uk/content/licensing-overview</a>
<b>3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?</b>
To enable the council to exercise its functions under Section 5 of the Licensing Act 2003.  The Council is required to produce, adopt and publish a Statement of Licensing Policy. The statement must be reviewed every 5 years.
<b>4. Responsible service</b>
Environmental Services

<b>5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service?</b>  <b>(Please tick all that apply)</b>	<input checked="" type="checkbox"/> Residents <input checked="" type="checkbox"/> Visitors <input checked="" type="checkbox"/> Staff
Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here):  Click here to enter text.	

<b>6. What type of strategy, policy, plan, project, contract or major change to your service is this?</b>	<input type="checkbox"/> New <input type="checkbox"/> Major change <input checked="" type="checkbox"/> Minor change
---	---

<b>7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If 'Yes' please provide details below:  Responsible authorities play a part in delivering the policy, these include the Police, Environmental Health, Planning, Child Protection Services and Trading Standards.  The review of the policy has been sent to responsible authorities, those directly affected by the policy and has been open to a public consultation. All responses received have been considered when reviewing the policy.	

<b>8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?</b>
Is going to Licensing Committee on 25 <sup>th</sup> January 2021

<b>9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?</b>
The policy has been subject to a 12 week public consultation. The policy recognises the Equality Act 2010 which places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance

equality of opportunity; and to foster good relations, between persons with different protected characteristics.

## **10. Potential impacts**

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

### **(a) Age - Please also consider any safeguarding issues for children and adults at risk**

One of the licensing objectives is the protection of children from harm. The policy helps support this objective and a section of the policy deals with children and licensed premises. The Child Protection Services of Cambridgeshire County Council is a responsible authority and is recognised as being competent to advise on matters relating to the protection of children from harm.

During the review of the policy, they were consulted as a responsible authority and no response was received.

The safeguarding for children and vulnerable adults policy of Cambridge City Council will also be considered when determining licensing applications.

### **(b) Disability**

We do not believe that the policy will impact negatively on this target group. The policy has been open to a public consultation and no responses have been received in regards to the policy impacting on those with a disability.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of disability.

**(c) Gender reassignment**

We do not believe that the policy will have an impact on this target group. The policy has been open to a public consultation and no responses have been received in regards to the policy impacting on gender.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of gender.

**(d) Marriage and civil partnership**

We do not believe that the policy will impact negatively on this target group. The policy has been open to a public consultation and no responses have been received in regards to the policy impacting on marriage or civil partnership.

**(e) Pregnancy and maternity**

We do not believe that the policy will impact negatively on this target group. The policy has been open to a public consultation and no responses have been received in regards to the policy impacting on pregnancy or maternity.

**(f) Race – Note that the protected characteristic ‘race’ refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.**

We do not believe that the policy will impact negatively on this target group. The policy has been open to a public consultation and no responses have been received in regards to the policy impacting on race.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of race

**(g) Religion or belief**

We do not believe that the policy will impact negatively on this target group. The policy has been open to a public consultation and no responses have been received in regards to the policy impacting on religion.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of religion.

**(h) Sex**

We do not believe that the policy will impact negatively on this target group. The policy has been open to a public consultation and no responses have been received in regards to the policy impacting on gender.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of gender.

**(i) Sexual orientation**

We do not believe that the policy will impact negatively on this target group. The policy has been open to a public consultation and no responses have been received in regards to the policy impacting on sexual orientation.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of sexual orientation.

**(j) Other factors that may lead to inequality – in particular, please consider the impact of any changes on low income groups or those experiencing the impacts of poverty**

The policy will have no impact on any other factors that may lead to inequality.

**11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqIA accordingly.)**

The policy statement will be kept under review and will remain in existence for a period of up to 5 years. It will be subject to review and further consultation before February 2026 or as required by changes in law or other policies.

**12. Do you have any additional comments?**

None

### 13. Sign off

Name and job title of lead officer for this equality impact assessment: Luke Catchpole, Senior Technical Officer

Names and job titles of other assessment team members and people consulted: Gemma Tilley, Team Manager (Commercial & Licensing)

Date of EqIA sign off: 30th November 2020

Date of next review of the equalities impact assessment: February 2020

Date to be published on Cambridge City Council website: January 2021

**All EqIAs need to be sent to Helen Crowther, Equality and Anti-Poverty Officer. Ctrl + click on the button below to send this (you will need to attach the form to the email):**

**Send form**

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## LICENSING COMMITTEE

25 January 2021

10.00 - 11.30 am

**Present:** Councillors Bird (Chair), Gehring, Johnson, Massey, McPherson, McQueen, Moore, Page-Croft and Summerbell

<b>FOR ADOPTION BY THE COUCNIL</b>
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### 21/19/Lic Cumulative Impact Assessment

#### Resolved (by 8 votes to 0) to:

- i. Consider the results of the public consultation exercise as summarised in Appendix B of the Officer's report and the information provided by Cambridge Constabulary and Public Health before the public consultation as attached to the Officer's report as Appendix C.
- ii. Approve the proposed Cumulative Impact Assessment attached to the Officer's report as Appendix D. Appendix E is the current section in the Statement of Licensing Policy on the cumulative impact of a concentration of licensed premises.

Councillor Moore took part in the discussion on this item but was unable to vote due to technical reasons. She expressed support for the recommendation before and after the vote.

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Item

## Cumulative Impact Assessment



**To:**

Licensing Committee

**Report by:**

Yvonne O'Donnell, Environmental Health Manager

Tel: 01223 457951 Email: Yvonne.ODonnell@cambridge.gov.uk

**Wards affected:**

All

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### 1. Executive Summary

- 1.1 Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate. The existing Statement of Licensing Policy for Cambridge City Council became effective on 19<sup>th</sup> October 2017.
- 1.2 The Statement of Licensing Policy has been reviewed within the 5 year period as on 6<sup>th</sup> April 2018, The Policing and Crime Act 2017 amended the Licensing Act 2003 to place Cumulative Impact Assessments on a statutory footing.
- 1.3 The Statement of Licensing Policy contains a section on the cumulative impact of a concentration of licensed premises.
- 1.4 The proposed Statement of Licensing Policy has seen this section amended and also produced as a stand-alone document, The Cumulative Impact Assessment.

- 1.5 Whilst drafting the Cumulative Impact Assessment, evidence was provided by Cambridge Constabulary supporting the current areas covered by the special policy on cumulative impact.
- 1.6 The evidence also proposed a further area of Cambridge be added to the Cumulative Impact Assessment. The map at Appendix 3 of the Cumulative Impact Assessment highlights the area of Chesterton Road, Milton Road and Mitcham's Corner. The area runs along Chesterton Road from Croft Holme Lane to Ferry Path; Victoria Avenue from the River Cam to Chesterton Road; and Milton Road around Mitcham's Corner and up to Springfield Terrace.
- 1.7 The process to start publishing a Cumulative Impact Assessment began in August 2020 and a twelve-week public consultation took place between 31<sup>st</sup> August 2020 and 22<sup>nd</sup> November 2020.

## **2. Recommendations**

### **2.1 Members are recommended to:**

- Consider the results of the public consultation exercise as summarised in Appendix B of this report and the information provided by Cambridge Constabulary and Public Health before the public consultation as attached to this report as Appendix C;
- Approve the proposed Cumulative Impact Assessment attached to this report as Appendix D. Appendix E is the current section in the Statement of Licensing Policy on the cumulative impact of a concentration of licensed premises; or
- Approve the proposed Cumulative Impact Assessment attached to the report as Appendix D without the added area of Chesterton Road from Croft Holme Lane to Ferry Path; Victoria Avenue from the River Cam to Chesterton Road; and Milton Road around Mitcham's Corner and up to Springfield Terrace.

## **3. Background**

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- 3.1. The Council currently has a Cumulative Impact Policy within the Statement of Licensing Policy. The areas covered by the Cumulative Impact Policy are stated in paragraph 5.8 of the Licensing Policy.
- 3.2 The Policing and Crime Act 2017 amended the Licensing Act 2003 to place Cumulative Impact Assessments on a statutory footing.

- 3.3 As Cumulative Impact Policies (CIPs) were not part of the 2003 Act, there are no transitional provisions that apply to CIPs that were in place before 6<sup>th</sup> April 2018.
- 3.4 It was recommended that any existing CIPs should be reviewed within three years of the commencement of the legislation on Cumulative Impact Assessments or when the licensing policy statement is next due for review, whichever is sooner.
- 3.5 We have taken the opportunity to create a stand-alone Cumulative Impact Assessment before 6<sup>th</sup> April 2021 and review the Statement of Licensing Policy at the same time.
- 3.6 The term 'Cumulative impact' is defined in paragraph 14.20 of the Guidance issued under Section 182 of the Licensing Act 2003 as "the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area".
- 3.7 The guidance further states that a cumulative impact assessment may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 3.8 In considering whether to publish a Cumulative Impact Assessment, the authority needs to consider the following:
- Identify concern about crime and disorder; public safety; public nuisance or protection of children from harm in a particular location.
  - Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.
  - If there is evidence that such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that cumulative impact is imminent.
  - Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).
  - Consult those specified in section 5(3) of the 2003 Act. As with consultations in respect of the licensing policy statement as a whole, it is for each licensing authority to determine the extent

of the consultation it should undertake in respect of a CIA (subject to the statutory requirements).

- Subject to the consultation, include and publish details of the special policy in the licensing policy statement.

- 3.9 Ahead of the public consultation, Cambridgeshire Constabulary provided data covering the previous 3 years showing the Alcohol Related Crime and Incidents broke down by wards within Cambridge City.
- 3.10 Part of the data provided shows that over the last 3 years, Chesterton Road (mainly in West Chesterton) has become a hotspot for alcohol related crimes and incidents. Cambridge Constabulary requested that consideration should be given to extending the Cumulative Impact Area to include the area of Chesterton Road, Milton Road and Mitcham's Corner. The area runs along Chesterton Road from Croft Holme Lane to Ferry Path; Victoria Avenue from the River Cam to Chesterton Road; and Milton Road around Mitcham's Corner and up to Springfield Terrace.
- 3.11 The above area was added to the proposed Cumulative Impact Assessment and was subject to a 12-week public consultation between 31<sup>st</sup> August 2020 and 22<sup>nd</sup> November 2020. This was undertaken by directly contacting the relevant responsible authorities and residents' associations and publishing the consultation on our website and in the Cambridge News on Monday 31<sup>st</sup> August 2020. Additionally, all those holding a premises licence or club premises certificate were directly consulted, as were all businesses in the areas proposed in West Chesterton.
- 3.12 The issues raised in individual responses to the consultation affecting the review are detailed in Appendix B. 1 response was received as a result of the consultation exercise. All comments were addressed and no amendments were required to be made to the policy.

## **4. Implications**

### **(a) Financial Implications**

Provision has been made in the Council's budget to review the statement of licensing policy and to publish a Cumulative Impact Assessment, the council will meet the cost of consultation.

### **(b) Staffing Implications**

There are no additional staffing implications. Budget provision has been made for the publishing of the assessment.

**(c) Equality and Poverty Implications**

An Equality Impact Assessment (EqIA) has been completed alongside the publishing of this assessment.

**(d) Environmental Implications**

The Act requires the Licensing Authority to carry out its function with a view to promoting the four licensing objectives, one of which is the prevention of public nuisance, to protect the local environment and community.

**(e) Procurement Implications**

Nil

**(f) Community Safety Implications**

Cambridge City Council must fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge. The assessment promotes that fact and states that any decision by the Licensing Authority will be with a view to promoting the licensing objectives.

**5. Consultation and communication considerations**

- 5.1 In accordance with Government Code of Practice on consultation, the proposed Cumulative Impact Assessment was submitted for public consultation over a 12-week period between 31<sup>st</sup> August 2020 and 22<sup>nd</sup> November 2020. Legislation requires that we undertake consultation with bodies prescribed in the Act for the review.
- 5.2 Consultation was undertaken as widely as possible, with approximately 600 letters and emails being sent out, including the Chief Officer of Police and all other parties as required by legislation, including persons/bodies representing holders of premises licences and club premises certificates, businesses and residents associations. The consultation was also available to view on Cambridge City Council website and appeared in the Cambridge News on Monday 31<sup>st</sup> August 2020.
- 5.3 All comments received are listed in the attached Appendix B, which relates to specific written comments received in response to the proposed assessment. Consideration to all comments has been given in

drawing up the assessment. The schedule shows the nature of the comment, the evaluation of the comment and the action taken.

## **6. Background papers**

Background papers used in the preparation of this report:

- (a) Licensing Act 2003
- (b) Guidance published under section 182 of the Licensing Act 2003
- (c) Policing and Crime Act 2017
- (d) Cambridge City Council's Existing Statement of Licensing Policy

## **7. Appendices**

Appendix A – Current Statement of Licensing Policy

Appendix B – Comments and Responses from Consultation

Appendix C – Response and information provided by Cambridge Constabulary and Public Health ahead of the consultation.

Appendix D – Proposed Cumulative Impact Assessment

Appendix E – Section on Cumulative Impact taken from Current Statement of Licensing Policy.

Appendix F – Equality Impact Assessment

## **8. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact Luke Catchpole, Technical Officer, tel: 01223 457818, email: [luke.catchpole@cambridge.gov.uk](mailto:luke.catchpole@cambridge.gov.uk).



## CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING POLICY

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## CAMBRIDGE CITY COUNCIL STATEMENT OF LICENSING POLICY

Cambridge is a unique blend of market town, sub-regional centre, national and international tourist attraction and centre of excellence for education and research. It is a city of great beauty and is renowned for the qualities of its streets, spaces and buildings.

Cambridge City Council (the Licensing Authority), in association with local partnerships, wants Cambridge to be vibrant, socially mixed, safe, convenient and enjoyable, where all residents feel integrated into the life of the City and a part of its success.

Cambridge City Council has a clear vision for the future of the City, a vision shared with Cambridge citizens and partner organisations. Our vision includes:

- An international city which celebrates its diversity and actively tackles discrimination on gender, race, nationality, ethnic background, religion, age, disability, gender identity, and sexual orientation.
- A city in which all citizens feel that they are listened to and have the opportunity to influence public decision making, and which values, supports and responds to individual and community initiatives.
- A city where all citizens and organisations appreciate their duties as well as their rights, where people are free to enjoy themselves but also show consideration for others, and where the community works together to reduce harm and nuisance including by education and, where needed, robust enforcement of the law.

The overarching objectives of Cambridge City Council in licensing premises are to:

- Promote the Authority's visions and values
- Protect the rights and health and safety of the general public, workers, residents, businesses, minority and vulnerable groups
- Ensure the principles of consistency, transparency, accountability and the promotion of good standards in licensing
- Demonstrate compliance with statutory responsibilities in relation to procedures and enforcement
- Ensure consistent and transparent decision making

It is recognised that licensed entertainment provides a valuable contribution towards the economy of Cambridge and we seek to balance the needs of local business holders and licensees, whilst protecting those of local residents.

## 1. Introduction

- 1.1 This Licensing Policy Statement has been produced in accordance with the requirements of the Licensing Act 2003 ('the Act') and is in line with guidance issued under Section 182 of the Act.
- 1.2 The policy relates to all those licensing activities identified as falling within the provisions of the Act, namely: -
  - Retail sale of alcohol
  - Supply of alcohol by or on behalf of a club, or to the order to a member of the club
  - The provision of regulated entertainment
  - The provision of late night refreshment
- 1.3 The policy relates to all types of premises covered by the Act.
- 1.4 The Licensing Authority will take the policy into account where its discretion is engaged (i.e. at a hearing following representations).
- 1.5 Nothing in this policy will undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits.
- 1.6 The Licensing Authority may depart from this policy if the individual circumstances of any case merit such a decision in the interest of the promotion of the licensing objectives. Full reasons will be given for departing from the policy.

## 2. Objectives

- 2.1 The Licensing Authority has a duty under the Act to carry out its licensing functions by promoting the licensing objectives, which are: -
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance, and
  - The protection of children from harm.

Each objective has equal importance.

- 2.2 In carrying out its licensing functions, the Licensing Authority must also have regard to the licensing objectives, its Policy Statement and any statutory guidance under the Act and is bound by The Human Rights Act 1998. The Council must also fulfill its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge. The Statement of Licensing Policy recognises the

Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.

- 2.3 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not be seen as a means for solving all problems within the community. However, the licensing function is an important means of achieving the objectives. The Licensing Authority will continue to work in partnership with its neighbouring authorities, the police, other agencies, local liaison groups, businesses and individuals towards the achievement of the licensing objectives through good practice.
- 2.4 The Licensing Authority will expect individual applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. Applicants should include in their operating schedule the steps, which they consider necessary to promote the licensing objectives. If the steps are insufficient, or if the information given in the operating schedule does not enable a responsible authority or any other person to assess whether the steps proposed are satisfactory, it is more likely that relevant representations will be received, usually leading to a hearing.
- 2.5 All responsible authorities (listed in section 15) will have the chance to comment on all applications received and will provide evidence from their own areas of expertise if they believe an application would impact on one or more of the licensing objectives. All evidence provided will be taken into account by the Licensing Authority at any subsequent hearing.

### 3. Consultation

- 3.1 In preparing this policy statement the Licensing Authority has consulted with the following:
- the Chief Officer of Police for Cambridgeshire
  - the Chief Officer of the Cambridgeshire Fire and Rescue Service
  - persons/bodies representative of the Local Authority with the function of public health
  - persons/bodies representative of local holders of premises licences
  - persons/bodies representative of local holders of club premises certificates
  - persons/bodies representative of local holders of personal licences
  - persons/bodies representative of businesses and residents in the City of Cambridge
  - persons/bodies representative of Child Protection Services at Cambridgeshire County Council

- other organisations as appear to the Licensing Authority to be affected by licensing matters, including local community, cultural, educational and entertainment organisations.

3.2 We have considered the views of all those consulted prior to determining this policy.

## 4. Fundamental Principles

4.1 Licensing is about regulating licensable activities on premises, such as qualifying clubs, pubs and temporary events which fall within the terms of the Act. Any conditions imposed will focus on matters that individual licensees and others in possession of relevant authorisations are able to control.

4.2 In addressing these matters, the Licensing Authority will primarily focus on the direct impact the activities taking place at the licensed premises will have on those living, working or engaged in normal activity in the area concerned.

4.3 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in Cambridge.

## 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.

## **6. Licensing Hours**

- 6.1 Flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the potential for disorder and disturbance. Licensing hours should not inhibit the development of a thriving and safe evening and night-time economy. This is important for investment, local employment, tourism and local services associated with the night-time economy. Providing customers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

- 6.2 Subject to the policies regarding cumulative impact in the areas of the City

specified in paragraph 5.8, shops, stores and supermarkets will generally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless representations raise good reasons based on the licensing objectives, for restricting those hours, for example, a limitation may be appropriate following police representations in the case of shops known to be a focus of disorder and disturbance.

- 6.3 The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When issuing a licence, following receipt of relevant representations, stricter conditions on noise control are likely to be imposed in the case of premises that are situated in predominantly residential areas. However, this should not limit opening hours without regard to the individual merits of any application.

## 7. Children and Licensed Premises

- 7.1 Cambridge City Council will consider its Safeguarding for Children and Vulnerable Adults Policy when determining licensing applications. We are committed to safeguarding and promoting the welfare of children, young people and vulnerable adults.

- 7.2 It is an offence under the 2003 Licensing Act to:

- Permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a TEN; and
- To permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or TEN.

- 7.3 There are a great variety of premises for which licences may be sought including theatres, cinemas, restaurants, pubs, nightclubs, cafes, take away, community halls and schools. Access by children to any premises will not be limited unless it is considered necessary for the prevention of physical, moral or psychological harm to them.
- 7.4 Conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licensee or club or person who has been given a temporary event notice.
- 7.5 When deciding whether to limit access to children, the Licensing Authority will consider each application on its merits. Particular areas that will give rise to

concern in respect of children, would include premises –

- where entertainment or services of an adult or sexual nature are commonly provided
- where there is a strong element of gambling on the premises
- with a known association with drug taking or dealing
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- where there is a known association with the provision of illicit tobacco and alcohol
- where the supply of alcohol is in close proximity to services where young vulnerable people may frequent

7.6 The range of alternatives which may be considered for limiting access to children where that is necessary for the prevention of harm to children are:

- limitations on the hours when children may be present
- age limitations (below 18)
- limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place
- requirements for accompanying adults
- full exclusion of those people under 18 from the premises when any licensable activities are taking place
- limitations on the parts of premises to which children might be given access.

7.7 In the case of premises which are used for film exhibitions Cambridge City Council will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.

7.8 The Licensing Authority recognises the Child Protection Services of Cambridgeshire County Council as being competent to advise on matters relating to the protection of children from harm.

7.9 The Licensing Authority commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.

## 8. Licence Conditions

- 8.1 A key concept of the Act is for conditions to be attached to licences and certificates, which are tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.
- 8.2 The Licensing Authority cannot attach conditions to premises licences and club premises certificates unless they are considered appropriate for the promotion of the licensing objectives. The Licensing Authority may only attach conditions (except for statutory mandatory conditions and conditions drawn from the operating schedule) if relevant representations have been received. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation. Blanket standard conditions will not be imposed without regard to the merits of the individual case.
- 8.3 Conditions attached to premises licences and club premises certificates under prevention of crime and disorder will, so far as possible, reflect local crime prevention strategies.
- 8.4 In deciding what conditions should be attached to licences and certificates to promote the licensing objectives, the Licensing Authority will be aware of the need to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature. Only appropriate conditions will be imposed on such events. Where there is any indication that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how the situation might be reversed.
- 8.5 Applicants should consider the measures which they propose to control noise nuisance from the premises or from departing customers. Depending on the individual circumstances, this may include:
- Sound limitation devices
  - Acoustic lobbies
  - Acoustic double glazing
  - Noise insulation
  - Specifying non amplified or acoustic music only
  - Notices requesting customers to leave quietly
  - A dedicated taxi service
  - Use of door supervisors at exit points
  - A winding down period during which music is turned down and lights up, alcohol service ceases and sales of food and hot and cold soft drinks continues and requests are made for customers to leave quietly.

## 9. Integrating Strategies and the avoidance of duplication

- 9.1 By consultation and liaison, the Licensing Authority will secure the proper integration of this licensing policy with local crime prevention, Cambridgeshire Health & Wellbeing Strategy, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the management of the city and the night-time economy. Many of these strategies directly impact upon the four licensing objectives.
- 9.2 Where any protocols to be agreed with the police identify a particular need to disperse people from the city swiftly and safely to avoid concentrations which could lead to disorder and disturbance, the Licensing Authority will aim to inform those responsible for providing local transportation so that arrangements can be made to reduce the potential for problems to occur.
- 9.3 The Council's Licensing Committee will receive, when appropriate, reports on:
- the needs of the local tourist economy for the area to ensure that these are reflected in their considerations
  - the employment situation in the area and the need for new investment and employment where appropriate.
- 9.4 Planning, building control and the licensing regimes will be separated to avoid duplication and inefficiency. Licensing applications will not be a re-run of the planning application and will not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. When a terminal hour has been set as a condition of planning permission that is different from the licensing hours, the applicant must observe the earlier of the two closing times.
- 9.5 So far as is possible, the policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators.
- 9.6 The Licensing Authority will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing, circus activity, street art and theatre, including the performance of a wide range of traditional and historic plays for the wider cultural benefit of the community which also balances the evening economy. The Licensing Authority will balance the prevention of disturbance in neighbourhoods with these wider cultural benefits, particularly cultural benefits for children. Only appropriate conditions will be imposed on such events.
- 9.7 The absence of cultural provision in any area can lead to young people

being diverted into anti-social activities that damage local communities and the young people involved themselves.

- 9.8 Cambridge City Council has an important role in coordinating events in the City and to ensure that cultural diversity thrives. The Council currently has five licensed open spaces. These are: Parkers Piece; Jesus Green; Midsummer Common; Coldhams Common and the grounds of Cherry Hinton Hall.
- 9.9 The Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimization; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 9.10 Applicants will be encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their operating schedule.
- 9.11 The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of race, gender, transgender, religion, sexual orientation, disability or age, or display discriminatory signs.

## 10. Licence Reviews

- 10.1 The process set out in the Licensing Act 2003 for reviewing premises licences represents a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 10.2 Responsible authorities (including the Licensing Authority) and other parties can apply for the review of a licence.
- 10.3 The Licensing Authority will work in partnership with other responsible authorities to achieve the promotion of the licensing objectives and will give Licence or Certificate holders early warning of any concerns identified at a premises. The Licensing Authority will also encourage other responsible authorities to do the same.
- 10.4 When a review has been requested the role of the Licensing Authority will be to administer the process and determine its outcome at a hearing. Where the Licensing Authority has applied to review an authorisation, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. (See paragraph 12.3).

- 10.5 The Licensing Authority may decide that no action is necessary if it finds that the review does not require it to take any appropriate steps to promote the licensing objectives. In appropriate cases the Authority may issue an informal warning to the licence holder and/or recommend improvement within a particular period of time. Any warnings or recommendations will be issued in writing.
- 10.6 Where the Licensing Authority considers that action under its statutory powers is appropriate it may take any of the following steps:
- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
  - to exclude a licensable activity from the scope of the licence;
  - to remove the designated premises supervisor;
  - to suspend the licence for a period not exceeding three months;
  - to revoke the licence.
- 10.7 In cases where the crime prevention objective is being undermined the Licensing Authority will give serious consideration to revoking the licence even in the first instance.

## 11. Enforcement

- 11.1 The Licensing Authority intends to establish protocols with the police and any other relevant enforcement body on enforcement issues. These protocols will provide for the targeting of agreed problem and high-risk premises, which require greater attention, while providing a lighter touch approach in respect of low risk premises which are well run.
- 11.2 In general, action will only be taken in accordance with the Council's enforcement policy, as adopted at the time, which reflects the Council's obligations relating to enforcement and is consistent with the Regulators Compliance Code. To this end, the key principles of consistency, openness, proportionality, clear standards and practices, courtesy and helpfulness and training will be maintained.
- Cambridge City Council's enforcement policy is available on our website [www.cambridge.gov.uk/content/enforcement-policy](http://www.cambridge.gov.uk/content/enforcement-policy)

## 12. Administration, exercise and delegation of functions

- 12.1 The functions of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.
- 12.2 Many of the decisions and functions will be largely administrative in nature. In the interests of speed, efficiency and cost-effectiveness these

will, for the most part, be delegated to officers as set out in the Cambridge City Council Constitution

- 12.3 In determining applications where the Licensing Authority has acted as a responsible authority, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. This will be achieved by allocating distinct functions to different Officers within the authority, so the Officer presenting the report to the Sub-Committee and advising the Members will be a different individual to the Officer who is acting as the responsible authority. The Officer acting as the responsible authority will not be involved in the decision making process.

### 13. Effective Date and Review

- 13.1 This policy statement will take effect from October 2017.
- 13.2 The policy statement will be kept under review and will remain in existence for a period of up to 5 years. It will be subject to review and further consultation before October 2022, or as required by law.

### 14. Contact details, advice and guidance

- 14.1 Applicants can obtain further details about the licensing and application processes, including application forms and fees from:

website: [www.cambridge.gov.uk](http://www.cambridge.gov.uk)

e-mail: [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)

telephone: 01223 457879

fax: 01223 457909

post: Licensing, Environmental Services, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

in person: Customer Service Centre, Mandela House, 4, Regent Street, Cambridge, CB2 1BY (Monday to Friday 09:00- 17:15)

- 14.2 The Licensing Authority has also published further documents to accompany this policy containing additional details about each type of application and the review process. These can be viewed at <https://www.cambridge.gov.uk/guidance-for-applicants>

- 14.3 This policy can be made available in large print on request and similarly translations can be made available in a variety of languages. Please

contact us for further help or assistance.

- 14.4 The Council, Police and Fire Authorities will be willing to give advice and guidance to applicants.
- 14.5 Informal discussion is encouraged prior to the application process in order to resolve any potential problems and avoid unnecessary hearings and appeals.

15. **Responsible Authorities are:**

**The Licensing Authority**

Licensing, Environmental Services, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH  
Tel: 01223 457879 Fax: 01223 457909 e-mail: [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)

**The Chief Officer of Police**

The Chief Officer, Cambridgeshire Constabulary, Southern Division, Police Station, Parkside, Cambridge, CB1 1JG  
Telephone: 01223 823397 Fax: 01223 823232

**The Fire Authority**

Fire Protection, Cambridge Fire Station, Parkside, Cambridge, CB1 1JF  
Email: [danny.hans@cambsfire.gov.uk](mailto:danny.hans@cambsfire.gov.uk)

**Planning**

Environment & Planning, Cambridge City Council, The Guildhall, Cambridge, CB2 3QJ  
Telephone: 01223 457100  
e-mail: [planning@cambridge.gov.uk](mailto:planning@cambridge.gov.uk)

**Environmental Health**

The Environmental Health Manager, Environmental Services, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH  
Telephone: 01223 457890 Fax: 01223 457909 e-mail: [env.services@cambridge.gov.uk](mailto:env.services@cambridge.gov.uk)

**Child Protection**

Child Protection Services, Licensing Applications, OCYPS, PO Box 144, St Ives, Cambs, PE27 9AU  
Telephone: 03450455203  
[Referralcentre2.children@cambridgeshire.gov.uk](mailto:Referralcentre2.children@cambridgeshire.gov.uk)

**Trading Standards**

Cambridgeshire County Council, PO Box 450, Great Cambourne, Cambridge, CB23 6ZR

e-mail: [trading.standards@cambridgeshire.gov.uk](mailto:trading.standards@cambridgeshire.gov.uk)

**Public Health**

The Director of Public Health, C/O Head of Public Health Programmes, Cambridgeshire County Council, Scott House Box No, SC0 2213, 5 George Street, Huntingdon, PE29 3AD

**Home Office – Immigration Enforcement**

Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY

In addition, for vessels:

**Environment Agency**

The Team Leader, Great Ouse & Stour Waterways, The Environment Agency, Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough, PE2 5ZR.

Telephone: 01733 464072

e-mail: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk), quoting Great Ouse & Stour Waterways

**Conservators of the River Cam**

The River Manager

Conservators of the River Cam

Baits Bite Lock, Fen Road, Milton, Cambridge, CB24 6AF

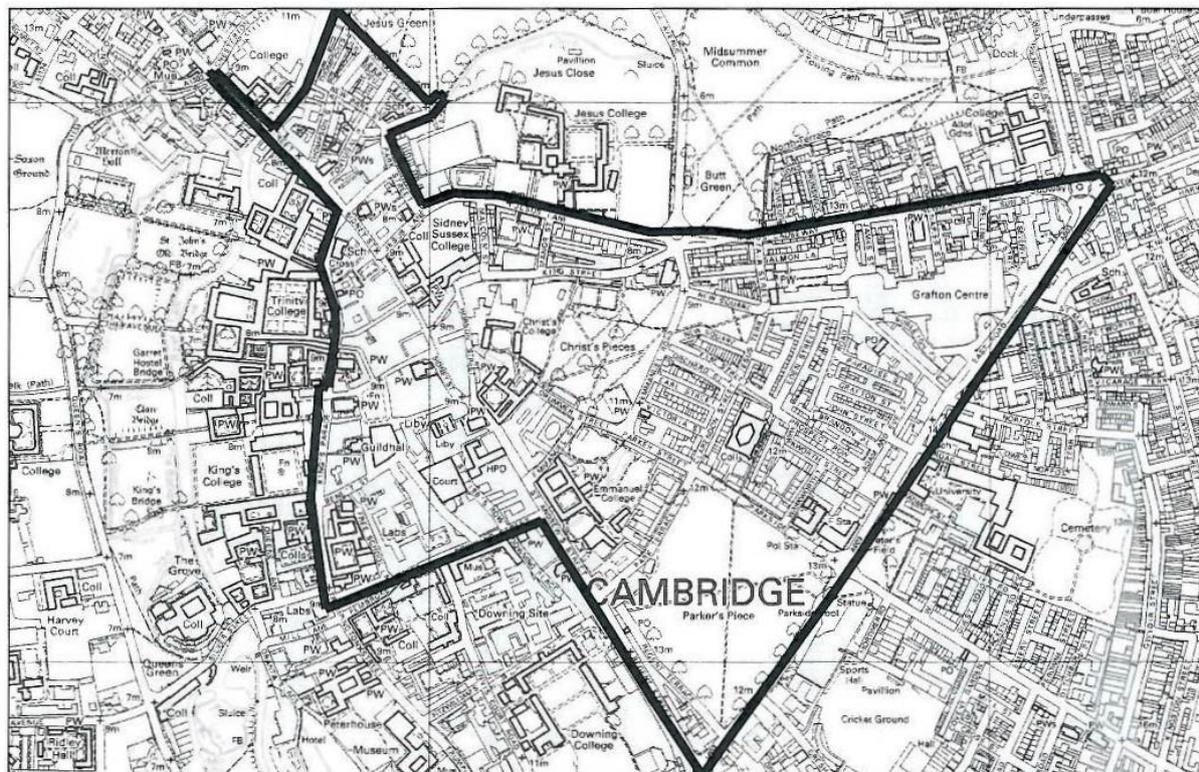
Telephone/Fax 01223 863785

e-mail [river.manager@camconservators.org.uk](mailto:river.manager@camconservators.org.uk)

**Maritime & Coastguard Agency**

Surveyor in Charge, Harwich Marine Office, Maritime & Coastguard Agency, East Terrace, Walton-on-Naze, Essex, CO14 8PY

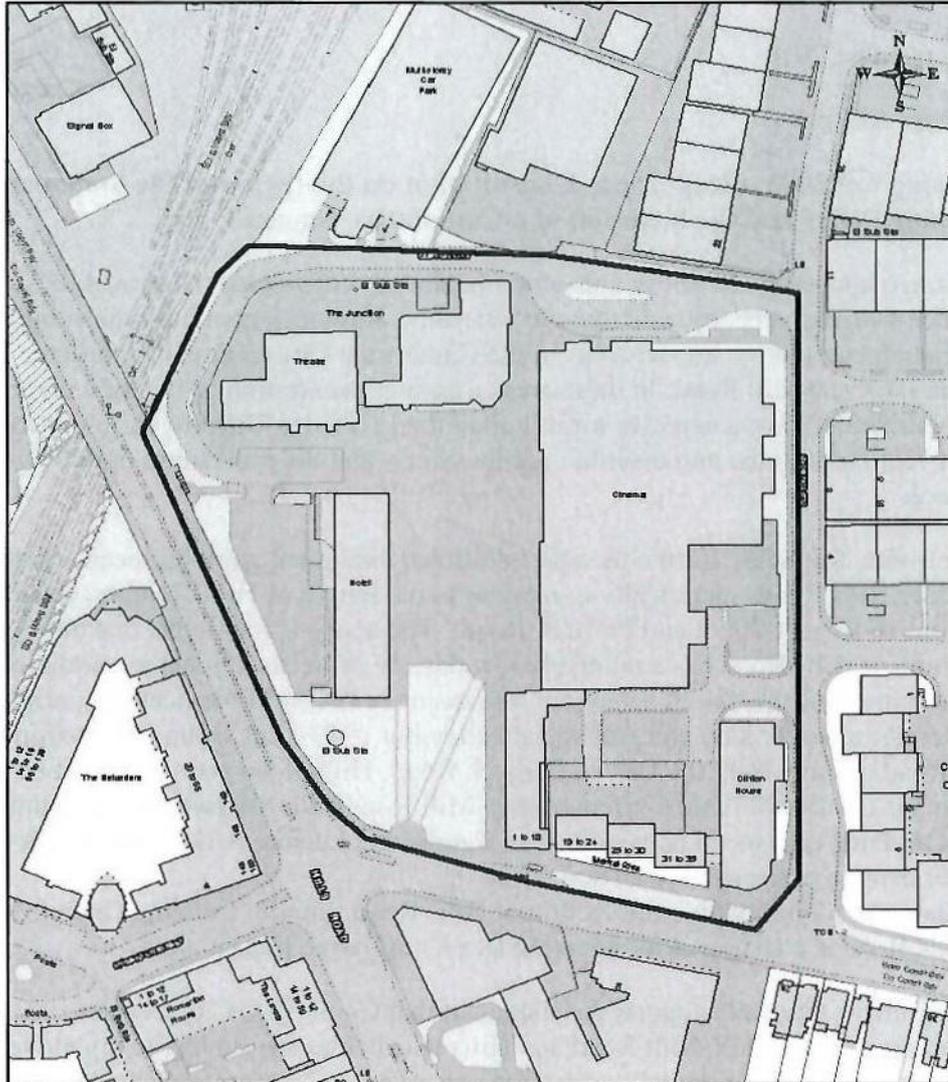
## Appendix 1 – Cumulative Impact Area City Centre



APPENDIX A – Current Statement of Licensing Policy

<b>Streets in Cumulative Impact Area Market Ward</b>			
Adam and Eve Street	Eden Street	Malcolm Street	Quayside
All Saints Passage	Elm Street	Manor Street	Regent Street
Beaufort Place	Emmanuel Street	Market Hill	Regent Terrace
Belmont Place	Fair Street	Market Passage	Round Church Street
Benet Street	Fitzroy Lane	Market Street	Salmon Lane
Brandon Place	Fitzroy Street	Melbourne Place	Severn Place
Burleigh Place	Free School Lane	Napier Street	Short Street
Burleigh Street	Gonville Place	New Park Street	Sidney Street
Clarendon Street	Grafton Street	New Square	St Andrews Street
Camden Court	Green Street	Newmarket Road	St Johns Road
Causeway Passage	Guildhall Place	Orchard Street	St Marys Street
Christ Church Street	Hobson Street	Paradise Street	St Tibbs Row
Christs Lane	Hobsons Passage	Park Parade	Sun Street
City Road	James Street	Park Street	Sussex Street
Corn Exchange Street	Jesus Lane	Park Terrace	Thompson's Lane
Crispin Place	John Street	Parkside	Trinity Street
Dover Street	King Street	Parsons Court	Warkworth Street
Downing Street	Kings Parade	Peas Hill	Warkworth Terrace
Drummer Street	Lower Park Street	Petty Cury	Wellington Street
Earl Street	Magdalene Street	Portugal Place	Willow Place
East Road	Maids Causeway	Prospect Row	Willow Walk

**APPENDIX 2 – CUMULATIVE IMPACT AREA:  
CAMBRIDGE LEISURE PARK**



**APPENDIX 3 - CAMBRIDGE CITY CUMULATIVE IMPACT POLICY REVIEW 2017**

Three years data has been analysed, though it should be noted that we are dependent upon crimes and incidents having an alcohol marker which is not reliably the case.

From the information that is recorded, it can be seen that there is a correlation between the number of licenced premises and the number of alcohol related crime and incidents per ward in Cambridge City.

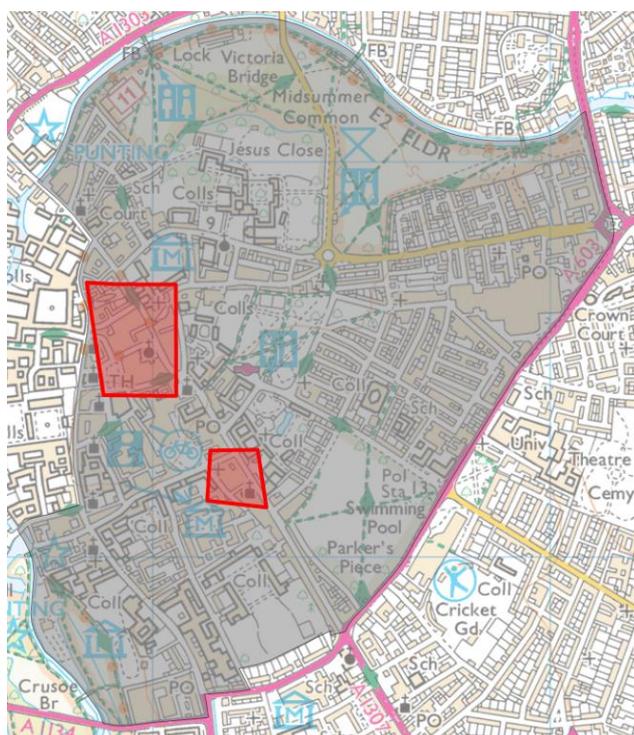
Ward	Licenced Premises	Alcohol Related Crime and Incidents				
		Ward	2014/15	2015/16	2016/17	TOTAL
MA	206	MA	984	625	570	2179
PE	72	PE	349	223	138	710
TR	48	AB	365	120	98	583
CO	37	KH	369	106	85	560
NE	35	AR	350	106	94	550
CA	32	TR	337	88	99	524
AR	26	CO	281	80	62	423
AB	23	EC	263	62	65	390
RO	22	WC	213	88	87	388
KH	21	CH	244	52	52	348
WC	20	RO	184	72	61	317
CH	18	QE	168	52	32	252
EC	14	CA	94	31	36	161
QE	12	NE	67	34	26	127
<b>TOTAL</b>	<b>586</b>	<b>TOTAL</b>	<b>4268</b>	<b>1739</b>	<b>1505</b>	<b>7512</b>

There has been a decrease in the number of alcohol related crimes and incidents recorded when compared year on year, the most significant of which occurred in 2015/2016. This reduction in alcohol related crime and incidents has not been seen in other Districts suggesting that work undertaken in Cambridge City has been effective.

## MARKET WARD

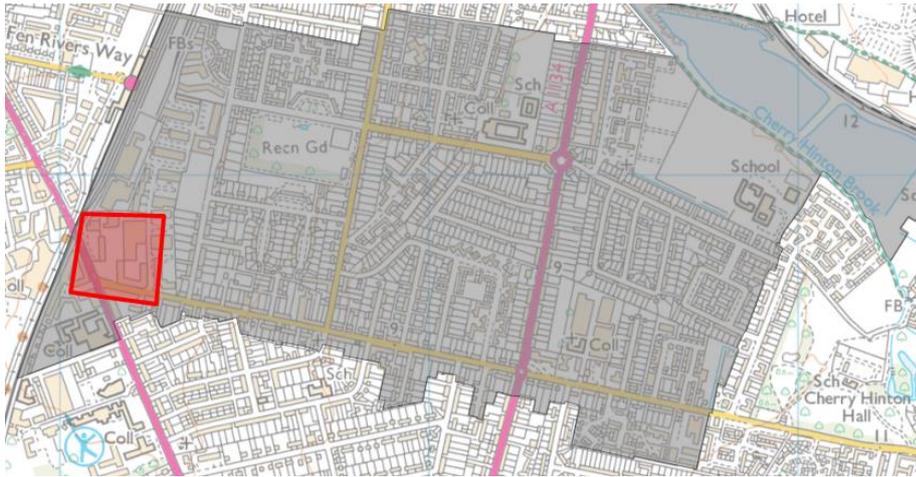
There are two main hot spots for crime and incidents in Market Ward, both situated within the current Cumulative Impact Area:

- St Andrew's Street features heavily in crime and incident data, 12% of all alcohol related crime and incidents in Market Ward occur on St Andrews Street; and
- Sidney Street where there is a mixture of violent crime occurring in the vicinity of night clubs. During the daytime, crime and incidents relate to street drinking and aggressive begging. 26% of all alcohol related crime and ASB in Market Ward occurs within this hotspot.



## COLERIDGE

There continues to be a Hotspot for alcohol related crime and incidents around the Cambridge Leisure Park with the predominant theme being violent crime and theft from person. 30% of all alcohol related violent crime and violent related ASB recorded in Coleridge happens at the Cambridge Leisure Park.

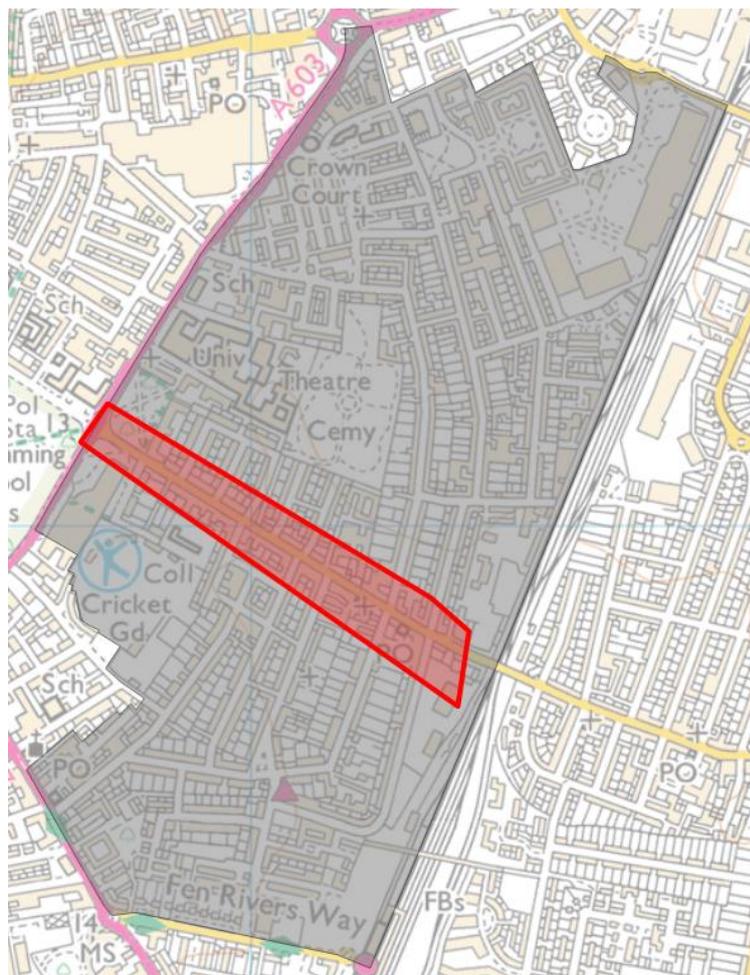


## PETERSFIELD

There are two hotspots in Petersfield.

### Mill Road:

- Crime relates to aggressive drunks stealing alcohol from shops, being evicted from pubs and around the vicinity of fast food shops.
- 42% of all recorded violent alcohol related crime and alcohol related ASB in Petersfield occurs on Mill Road.
- 42% of all licensed premises in Petersfield are on Mill Road.
- Mill Road has a total of 30 licensed premises, these comprise of two public houses, six convenience stores, 15 restaurants/café/take-away and a Wine Merchant.



## PETERSFIELD AND TRUMPINGTON

### Hills Road:

- Crime relates to aggressive drunks attempting to steal alcohol from shops on Hills Road, staff who attempt to intervene have been assaulted;
- High level of reporting from convenience stores who are met with violent reactions when they refuse to sell alcohol to those who are heavily intoxicated. In addition, aggressive beggars congregate outside convenience stores that have cash machines immediately outside the store, begging so that they can then purchase alcohol;
- Several schools have reported that people are sleeping rough within their grounds, when approached, they have become aggressive and there have been incidents of indecent exposure; and
- There has been a high level of reports regarding members of the street life community being drunk and vocally aggressive in Hills Road.



## Conclusion

It is evident from the decrease in crime and incidents that current initiatives are effective and are having a positive impact. However, the previously identified hotspots for alcohol related crime and incidents continue to be hotspots in Cambridge City and therefore it is recommended that the current Community Impact Areas remain in place.

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APPENDIX B – Summary of Responses to Cumulative Impact Assessment

Area of Policy	Ref	Respondent	Summary of Comments	Consideration/appraisal	Response
General	N/A	Individual Respondent	Wants to see more done to regulate street trading within the wider city limits and incorporated within the policy. Feels residents are powerless to object to businesses trading in certain areas and has seen a particular growth in kebab vans.	Comment considered.	Street Trading is not covered by Licensing Act 2003 nor covered in the Statement of Licensing Policy. Street Trading has it's own Street Trading Policy and therefore these comments are relevant to that policy. In terms of residents being powerless, if a business such as a mobile food van wishes to sell hot food after 11pm (or sell alcohol at any time), a premises licence would be required and members of the public have the right to make representations against the grant of any premises licence.

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## CAMBRIDGE CITY CUMULATIVE IMPACT POLICY REVIEW 2020

Three years data has been analysed, though it should be noted that we are dependent upon crimes and incidents having an 'alcohol' marker which is not reliably the case. Additionally, in May 2018 Cambridgeshire Constabulary converted to a new Crime recording system, which again required an 'alcohol' qualifier to be recorded against a crime for it to be included in these statistics. These figures relate to all alcohol related crimes and incidents recorded within the Cambridge Ward areas that have been identified using the recording systems – 'Crime File', 'Command & Control 3' and 'Athena'.

From the information that is recorded below, it can be seen that in Cambridge there is a general correlation between the ward areas with the highest number of licenced premises and the number of alcohol related crime and incidents.

		<b>Alcohol Related Crime and Incidents</b>				
<b>WARD</b>	<b>Licensed Premises</b>	<b>WARD</b>	<b>Apr2017-Mar2018</b>	<b>Apr2018-Mar2019</b>	<b>Apr2019-Mar2020</b>	<b>TOTAL</b>
Market	245	Market	1151	714	813	2678
Petersfield	62	Petersfield	254	188	228	670
Trumpington	51	Trumpington	195	182	228	605
Abbey	33	King's Hedges	198	133	199	530
Coleridge	32	Abbey	159	160	198	517
Castle	32	West Chesterton	150	157	185	492
Newnham	32	East Chesterton	158	100	160	418
Romsey	26	Arbury	163	121	111	395
King's Hedges	24	Coleridge	144	108	141	393
Arbury	24	Romsey	104	92	108	304
Cherry Hinton	22	Queen Edith's	126	68	85	279
East Chesterton	16	Cherry Hinton	79	59	77	215
West Chesterton	14	Castle	74	53	58	185
Queen Edith's	11	Newnham	45	33	37	115
<b>TOTAL</b>	<b>624</b>	<b>TOTAL</b>	<b>3000</b>	<b>2168</b>	<b>2628</b>	<b>7796</b>

There has been an overall ~12% decrease in the number of alcohol related crimes and incidents recorded in Cambridge between April 2017-March 2018, and April 2019-March 2020.

The table below shows the highest 15 streets in Cambridge for reports of alcohol related crimes and incidents between April 2017 – May 2020. Ten of these streets being located within the existing City Centre Cumulative Impact Zone (CIZ). Hills Road and Mill Road also located in existing CIZs.

<b>ROAD NAME</b>	<b>Crimes &amp; Incidents April 2017 - May 2020</b>	<b>WARD</b>
St Andrews Street	382	Market
Mill Road	232	Petersfield/Romsey
Hills Road	215*	Petersfield/Trumpington/Coleridge

Chesterton Road	211	West Chesterton/Arbury
Sidney Street	201	Market
Downing Street	200	Market
Regent Street	198	Market
Newmarket Road	165	Abbey
Milton Road	158	West Chesterton/Kings Hedges
East Road	143	Market
Parkside	136	Market
Lion Yard	117	Market
Guildhall Place	116	Market
Rose Crescent	116	Market
Market Hill	107	Market

\* excluding alcohol related crimes and incidents recorded at Addenbrookes hospital, Hills Road.

## MARKET WARD

The main hot spot areas for alcohol related crime and incidents in Market Ward, are focused on St. Andrews Street, Sidney Street, Downing Street and Regent Street. With St. Andrews Street accounting for 14% of all the alcohol related crime and incidents in Market Ward. Sidney Street, Downing Street and Regent Street all account for approximately ~7% respectively. This shows a continued requirement for the presence of the current city centre CIZ.

## COLERIDGE

Coleridge Ward has seen a small reduction of ~7% in the overall alcohol related crime and incidents from the period March 2014- February 2017 to March 2017- February 2020. However, over the same period the percentage of these crimes and incidents occurring on the Cambridge Leisure Park has seen a significant reduced from 30% to only ~9%, indicating that the presence of the current CIZ has been effective.

## PETERSFIELD/ROMSEY

Despite the combined figures for these two wards showing a ~5% reduction in the overall alcohol related crime and incidents from the period March 2014- February 2017 to March 2017- February 2020. There are still two 'hotspot' areas, namely; Mill Road and Hills Road.

Mill Road:

- A total of 232 (~22%) of all recorded alcohol related incidents and crimes in Petersfield and Romsey Wards occurs on Mill Road.
- There is a total of 44 Licensed Premises on Mill Road, made up of premises with on-licences, off-licences and both.
- Between 1<sup>st</sup> March 2019 – 29<sup>th</sup> February 2020 the police recorded 26 'street based' alcohol related incidents (not crimes) along the Petersfield section of Mill Road. The vast majority of these incidents refer to: street drinkers being

abusive to members of the public, concerns for the safety of people 'passed out' on the path, or persons walking in the road, presenting a danger to themselves and other road users. Additionally, a number of calls to assist ambulance staff who are trying to assess/treat uncooperative, vulnerable persons who are under the influence of alcohol/drugs.

## **PETERSFIELD AND TRUMPINGTON**

Hills Road:

- Over the 3-year period a total of 215 (~12%) of all alcohol related crimes and incidents within the Wards of Petersfield, Coleridge and Trumpington were recorded along Hills Road, not including those recorded as occurring at Addenbrookes hospital, Hills Road.
- The vast majority of these records indicate that the offending party was intoxicated, resulting in violent behaviour, with some leading to an assault, or displaying aggressive behaviour in a public place.

It is evident from the general downward trend in alcohol related crime and incidents that current CIZs are effective and are having a positive impact. However, the previously identified hotspots for these types of crimes and incidents continue to be problematic areas in Cambridge City, and therefore it is recommended that the current Cumulative Impact Zones remain in place.

## **WEST CHESTERTON**

It should be noted that over the last 3 years the statistics show that Chesterton Road is a hotspot area for alcohol related crimes and incidents.

There is a small section of Chesterton Road within Arbury Ward, but its majority is in West Chesterton Ward. Chesterton Road features 4<sup>th</sup> in the table for the highest alcohol related crimes and incidents which is concerning as it isn't located within any of the existing CIZ. The city centre CIZ borders the southern bank of the River Cam, and Chesterton Road is located just north of the river.

As a comparison with Mill Road, between 1<sup>st</sup> March 2019 – 29<sup>th</sup> February 2020 the police recorded 21 'street based' alcohol related incidents (not crimes) along Chesterton Road.

The vast majority of this incidents refer to incidents involving street drinkers being abusive to members of the public and shop staff, begging, fighting amongst themselves. Additionally, as with Mill Road we have recorded a number of calls to assist ambulance staff who are trying to assess and treat unwilling, vulnerable people who are under the influence of alcohol or drugs.

The majority of these reports are centred around the 'Mitcham's Corner' area, and roads leading off it. The areas include; the parade of shops and businesses on Milton Road (as far as Springfield Terrace), the section of Chesterton Road from Croft Holme Lane, along to Ferry Path, and the section of Victoria Avenue, north of the River Cam.

There appears to be a disproportionately high level of alcohol related crimes and incidents in this area of the West Chesterton ward, considering it only has 14 licensed premises. However, a high percentage of these premises are located within this 'hot spot' area. ~23% of all recorded alcohol related crimes and incidents occur along Chesterton Road. Therefore, consideration should be given to extending the city centre CIZ to include this area, or to create a new CIZ for this relatively small geographical area.

Dear Luke,

Thank you for the opportunity to review the current Cambridge City Licensing Cumulative Impact Policy ahead of Cambridge City Council launching the formal consultation.

As you will be aware, since April 2013, Directors of Public Health (DPH) have been included as Responsible Authorities under the Licensing Act 2003. Although the protection of public health is not a discrete licensing objective, it can be pertinent to each of the licensing objectives. The role of the DPH is to help promote the health and wellbeing of the local populations they serve. Promotion of the licencing objectives, which collectively seek to protect the quality of life for those who live and work in the vicinity of licensed premises and those who socialise in licensed premises is an important contribution to this.

**The impact of alcohol on health and wellbeing of Cambridge residents:**

Public Health England's evidence of review of the impact of alcohol and the effectiveness of alcohol control policies<sup>(1)</sup> states that alcohol is now the leading risk factor for ill-health, premature death and disability in people aged between 15 and 49, the fifth leading risk factor for ill-health across all age groups. Alcohol is known to be a cause of over 200 health conditions and has a number of social negative impacts, including loss of earnings or unemployment, family or relationship problems and problems with the law. Many of these harms affect both the drinker and those around them, including families, friends and strangers. These harmful effects place considerable economic burden on the government and health system, and individuals affected; the Cabinet Office estimate placed the economic costs of alcohol in England at around £21 billion in 2012.

**The link between alcohol outlet density and alcohol-related harms:**

Cambridge is a world renowned city and a centre for tourism, commerce and study with a global reach. Over recent years the hospitality and entertainment industry has continued to thrive and whilst this brings jobs and opportunities it also brings its own challenges and has impacts on the local community. There are a total of 624 licensed premises in Cambridge of which over half 321 fall in the small area of the CIZ zones. A considerable body of research examines the relationship between alcohol outlet density (AOD) and alcohol-related harms.

A PHE evidence review in 2016 found "levels of public violence and disorder are associated with the number of pubs and clubs concentrated in an area". There was also found to be a strong relationship between AOD and social disorder. The evidence review considered 44 studies internationally and found AOD was linked to consumption and harm.

- (1) Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.
- (2) National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24

## The need to for CIP areas in Cambridge

Public health are in support of the continued CIP and zones in Cambridge in line with the following objectives:

### (i) Protection of crime and disorder.

There is a high density of premises selling alcohol in Cambridge and the majority of them concentrated in the CIZ Zones. There is strong evidence for a relationship between AOD and problems associated with social disorder <sup>(1)</sup> which affects the health and wellbeing of a local population.

### (ii) Public safety:

Alcohol-related hospital admissions are a very significant issue in Cambridge with many of the associated public health indicators being worse in Cambridge than the England average. This demonstrates that alcohol is affecting the health and safety of Cambridge residents. The table below illustrates this clearly.

Alcohol related indicators for which Cambridge is RAG-rated RED compared to England			
Indicator	Period	Rate per 100,000*	
		Cambridge	England
Alcohol episodes for alcohol-related conditions (broad) (Persons)	2018/19	2,761.0	2,367.0
Alcohol episodes for alcohol-related conditions (broad) (male)	2018/19	3,779.0	3,246.0
Alcohol episodes for alcohol-related conditions (broad) (female)	2018/19	1,873.0	1,608.0
Alcohol episodes for mental and behavioural disorders due to use of alcohol (broad) (Persons)	2018/19	596.0	412.0
Alcohol episodes for mental and behavioural disorders due to use of alcohol (broad) (male)	2018/19	881.0	596.0
Alcohol episodes for mental and behavioural disorders due to use of alcohol (broad) (female)	2018/19	318.0	237.0
Alcohol episodes for alcoholic liver disease (broad) (persons)	2018/19	213.0	131.2
Alcohol episodes for alcoholic liver disease (broad) (male)	2018/19	306.2	182.1
Alcohol episodes for alcoholic liver disease (broad) (female)	2018/19	123.9	83.3
Alcohol episodes for alcohol-related conditions (narrow) (Persons)	2018/19	846.0	664.0
Alcohol episodes for alcohol-related conditions (narrow) (male)	2018/19	1,099.0	851.0
Alcohol episodes for alcohol-related conditions (narrow) (female)	2018/19	609.0	494.0
Alcohol episodes for mental and behavioural disorders due to use of alcohol (narrow) (Persons)	2018/19	150.2	75.6
Alcohol episodes for mental and behavioural disorders due to use of alcohol (narrow) (male)	2018/19	231.2	106.1
Alcohol episodes for mental and behavioural disorders due to use of alcohol (narrow) (female)	2018/19	69.2	46.1
Admission episodes for intentional self-poisoning by and exposure to alcohol (narrow) (persons)	2018/19	75.6	49.1
Admission episodes for intentional self-poisoning by and exposure to alcohol (narrow) (female)	2018/19	97.9	56.6
Alcohol episodes for alcohol-related conditions (narrow) - Under 40s (persons)	2018/19	401.0	315.0
Alcohol episodes for alcohol-related conditions (narrow) - Under 40s (females)	2018/19	407.0	262.0
Alcohol episodes for alcohol-related conditions (narrow) - 40-64yrs (persons)	2018/19	1,251.0	929.0
Alcohol episodes for alcohol-related conditions (narrow) - 40-64yrs (males)	2018/19	1,671.0	1,149.0
Alcohol episodes for alcohol-related conditions (narrow) - Over 65s (persons)	2018/19	1,222.0	1,049.0
Alcohol episodes for alcohol-related conditions (narrow) - Over 65s (males)	2018/19	1,800.0	1,501.0
Alcohol episodes for alcohol-specific conditions (Persons)	2018/19	923.0	626.0
Alcohol episodes for alcohol-specific conditions (male)	2018/19	1,298.0	869.0
Alcohol episodes for alcohol-specific conditions (female)	2018/19	562.0	397.0

 Statistically significantly worse than England

- (1) Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.
- (2) National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24

Out of the 26 Public Health measures in England for alcohol related hospital admissions, the latest available figures show that Cambridge is statistically significantly worse than England on every single measure. Of particular concern are:

- Alcohol disorders for mental and behavioural disorders for all persons but males in particular
- Alcohol related liver disease
- Intentional self-poisoning by exposure to alcohol

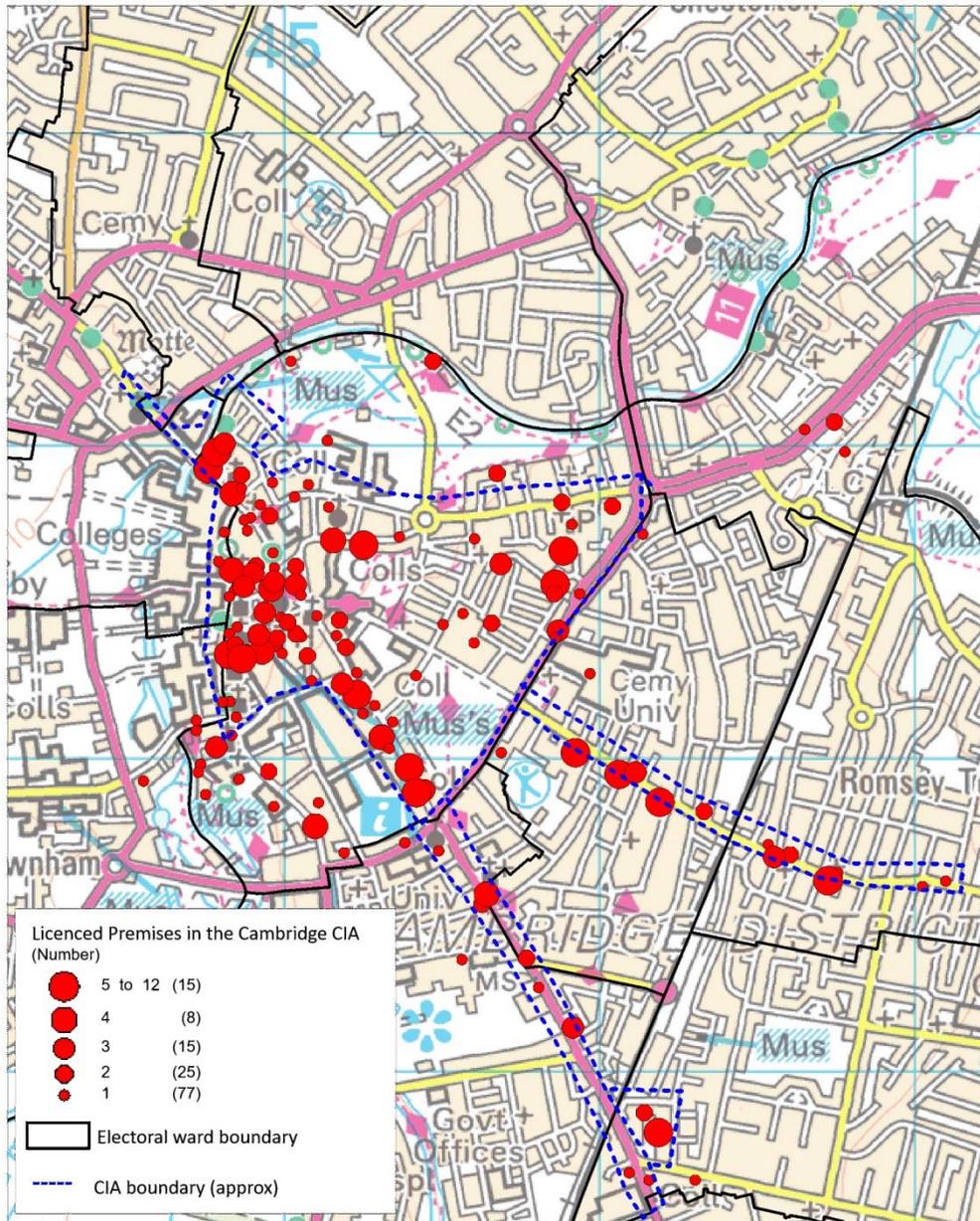
This data shows that the health impacts of alcohol in Cambridge cover a broad spectrum of issues. Self-poisoning indicates a large amount of alcohol has been consumed on one occasion e.g. a binge drinking session which is affecting both males and females and leading to hospital admissions. While alcohol related liver disease indicates a prolonged expose to alcohol misuse leading to organ impairment/failure on the body. As Director of Public Health I am very concerned about these outcomes for residents and visitors to Cambridge.

***(iii) The protection of children from harm:***

Children and young people are more vulnerable to alcohol related harm. Families may be affected by alcohol in a variety of ways including violence, financial problems, absenteeism from school and disrupted relationships, and there is a strong relationship between alcohol misuse and child maltreatment <sup>(1)</sup>. A number of studies have identified that higher levels of AOD are associated with greater alcohol related consumption and alcohol-related harm, including those that affect children, such as violence. See diagram below showing the concentration of premises in Cambridge.

(1) Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.  
(2) National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24

**Licenced premises in the Cambridge City Alcohol Cumulative Impact Area (CIA) by postcode. June 2020**



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 Cambridgeshire County Council and Peterborough City Council  
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- (1) Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.
- (2) National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24

The National Institute for Health and Care Excellence (NICE) public health guideline on the prevention of alcohol-use disorders<sup>(2)</sup>, concludes that reducing the number of outlets selling it in a given area and the days and hours when it can be sold, is an effective way of reducing alcohol-related harm. The guidelines recommend that a cumulative impact policy should be used where an area is saturated with licensed premises and the evidence suggests that additional premises may affect the licensing objectives. Such is the concentration of premises in Cambridge existing centre and most crucially in the current CIZ Zones (shown in the jagged lines) that the map above has needed to label premises in clusters. Fifteen of the red dots represent areas where there are between 5 and 12 premises. In total there are 321 licensed premises in the current CIZ zones.

Given the health impacts across all the 26 hospital admission measures which are all statistically significantly worse than the England average, and the fact that the majority of premises are concentrated in the current CIZ zones. As Director of Public Health I would like to support the continuation of the current CIZ arrangements in place.

**Summary:**

Alcohol can have significant negative health, social and economic impacts on communities, many of which are heightened in areas of high alcohol outlet density, such as Cambridge. In addition, there are health inequalities associated with alcohol-related harm, with Cambridge receiving statistically higher hospital admission across all measures than the English average. Area experiencing greater levels of harms. In line with the licensing objectives outline above, I therefore support the continuation of the Cumulative Impact Policy in Cambridge and the zones as currently in place.

- (1) Public Health England, 2016. The Public Health Burden of Alcohol and the Effectiveness and Cost- Effectiveness of Alcohol Control Policies – an evidence review.
- (2) National Institute for Health and Care Excellence, 2010. Public Health Guideline (PH24) – Alcohol-use disorders: prevention & National Institute for Health and Care Excellence, 2014. Evidence update 54 – a summary of selected new evidence relevant to NICE public health guidance 24

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APPENDIX C

Please reply to: Superintendent James Sutherland  
Southern Area Commander  
Telephone 101  
E-mail: [James.Sutherland@cambs.pnn.police.uk](mailto:James.Sutherland@cambs.pnn.police.uk)



6 August 2020

Licensing Team  
Environmental Services  
PO Box 700  
Cambridge  
CB1 0JH

Dear Sir or Madam

RE: **Licensing Policy consultation response**

I write in my capacity as Area Commander of Cambridge Police.

I have read the Cambridge City Cumulative Impact Policy Review 2020 Policy prepared by our Licensing Department. I am pleased that this makes suitable consideration around the key objectives of Prevention and Detection of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Preventing Children from Harm.

It is my view that the Cumulative Impact Policy is both necessary and proportionate to prevent crime, disorder and nuisance, promote public safety and prevent children from harm. Unfortunately, violent crime and alcohol related anti-social behaviour remains a significant issue for both the Police and Local Partners to address. We continue to spend considerable time, effort and resource tackling this. The Special Policy on Concentration of Premises is seen as a vital tool in preventing further escalation of crime and disorder levels.

I have taken note of the recommendations in relation to parts of Chesterton Road being identified as a hot spot area for alcohol related crime and incidents. Data provided has shown over the last 3 years that this area is an emerging hotspot. The recommendations submitted are supported in relation to this area.

My conclusion is that that the Special Policy is working well in the existing areas and with the addition of the specified areas of Chesterton Road this should continue to form part of the City Council's Statement of Licensing Policy.

Yours sincerely

Superintendent James Sutherland, B.A Hons, M.A, M:Litt  
Southern Area Commander

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# Cumulative Impact Assessment 2021 to 2024

## Cambridge City Council

NB: The Licensing Authority, when publishing its statement of licensing policy is required to have regard to the Cumulative Impact Assessment. The statement of licensing policy and the statements, provisions and aspirations contained within it are consistent with the approach laid out in the Cumulative Impact Assessment. The statements within the policy are aimed at encouraging best practice; a safe environment for all and most importantly, to actively promote the four licensing objectives. The statements in the licensing policy including the approaches to conditions; hours; enforcement and all other matters will apply to the premises designated with the Cumulative Impact Areas.

## **1. Cumulative Impact Areas – Background**

- 1.1 The concept of Cumulative Impact has been described within the Secretary of State's Guidance since the commencement of the 2003 Act.
- 1.2 Cambridge City Council first adopted a special policy on Cumulative Effect in 2007, with amendments being made to the areas covered in 2008 and 2011.
- 1.3 The special policy formed part of the Statement of Licensing Policy, which was last reviewed in October 2017.
- 1.4 The Policing and Crime Act 2017 amended the Licensing Act 2003 to place 'Cumulative Impact Assessments' on a statutory footing by introducing paragraph 5a of the Licensing Act 2003. This amendment came into force on 6<sup>th</sup> April 2018.
- 1.5 This Cumulative Impact Assessment is therefore being published under these new provisions of the Licensing Act 2003. The policy will be reviewed no later than every three years from the date it came into force.

## **2. Consultation**

- 2.1 As per section 5a of the Licensing Act 2003, in preparing the Cumulative Impact Assessment the Licensing Authority has consulted with the persons mentioned in section 5(3) of the Licensing Act 2003, namely:
  - the Chief Officer of Police for Cambridgeshire
  - the Chief Officer of the Cambridgeshire Fire and Rescue Service
  - persons/bodies representative of the Local Authority with the function of public health
  - persons/bodies representative of local holders of premises licences
  - persons/bodies representative of local holders of club premises certificates
  - persons/bodies representative of local holders of personal licences
  - persons/bodies representative of businesses and residents in the City of Cambridge
  - persons/bodies representative of Child Protection Services at Cambridgeshire County Council
  - other organisations as appear to the Licensing Authority to be affected by licensing matters, including local community, cultural, educational and entertainment organisations.

2.2 The Licensing Authority have considered the views of all those consulted prior to determining this policy.

### **3. The cumulative impact of a concentration of licensed premises**

3.1 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.

3.2 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 policy.

3.3 The Licensing Authority can publish a Cumulative Impact Assessment 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.

3.4 The absence of a Cumulative Impact Assessment 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.

3.5 Following previous consultations and representations received by Cambridgeshire Constabulary, the Licensing Authority had adopted a special policy on cumulative effect that remains in place and is now being published as a Cumulative Impact Assessment.

3.6 In response to these representations the Licensing Authority has undertaken the following steps in considering whether to adopt a Cumulative Impact Assessment:

- 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 cumulative impact assessment in relation to new applications and variations to existing premises licences and club premises certificates and considered the outcome of the consultation.

- 3.7 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 published a Cumulative Impact Assessment relating to the areas set out in section 4 below.

#### **4. Cumulative Impact Assessment**

- 4.1 The Licensing Authority has published a Cumulative Impact Assessment in relation to the below 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 area of Chesterton Road, Milton Road and Mitcham's Corner as highlighted in the map at Appendix 3. The area runs along Chesterton Road from Croft Holme Lane to Ferry Path; Victoria Avenue from the River Cam to Chesterton Road; and Milton Road around Mitcham's Corner and up to Springfield Terrace.
- 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).

- 4.2 The evidence for the Cumulative Impact Assessment has been supplied by Cambridgeshire Constabulary on the grounds of Crime and Disorder and is set out in Appendix 4.

- 4.3 This assessment will apply to all applications for the grant or variation of a premises licence or club premises certificate within the cumulative impact area specified in paragraph 4.1. This includes material variations for increased hours for licensable activity; increased capacity and any other matter that may add to cumulative impact in the cumulative impact area. This will relate to premises carrying on or proposing to carry on the following licensable activities:

- The sale or supply of alcohol on or off the premises;
- The provision of late-night refreshment;
- The provision of any regulated entertainment.

- 4.4 Whilst this Cumulative Impact Assessment does not apply directly to Temporary Event Notices, the Guidance issued under section 182 the Licensing Act 2003 states that it is open to the police and Environmental Health officers to refer to this assessment and the evidence contained within it when objecting to a TEN. The Licensing Authority believes this is a right and proper approach as expressed in hours within the Cumulative

Impact Area can have a direct impact on the promotion of the licensing objectives.

- 4.5 This assessment is being published because the Licensing Authority considers that the number of licensed premises and club premises certificates within the areas specified in 4.1 is such that it is likely that granting further licences or variations to licences would be inconsistent with the authority's duty to promote the licensing objectives.
- 4.6 The effect of the Cumulative Impact Assessment is to create a presumption that applications for the grant of a premises licence or club premises certificate or variations to existing licenses or certificates, within the cumulative impact area, will be refused if relevant representations are received.
- 4.7 The contents of the Cumulative Impact Assessment does not change the fundamental ways that decisions are made under the Licensing Act 2003. The Licensing Authority will make all decisions on applications within the cumulative impact area on a case by case basis with a view on how best to promote the licensing objectives.
- 4.8 The Cumulative Impact Assessment does not remove the requirement for a relevant representation to be submitted by a responsible authority or 'other persons' against an application for it to be considered by the Licensing Sub-Committee. An application that does not receive relevant representations is deemed granted under the Licensing Act 2003 (subject to such conditions as are consistent with the operating schedule and any mandatory conditions required by the Licensing Act 2003).
- 4.9 Applicants for a premises licence or club premises certificate, or applications to vary an existing licence or certificate, within the cumulative impact area should address issues of cumulative impact within their applications. Applicants will have to demonstrate that their application and proposed operation is not inconsistent with the Licensing Authority's Statement of Licensing Policy, the Cumulative Impact Assessment and the Licensing Authority's ability to be able to promote the licensing objectives.
- 4.10 Where valid representations are received against an application for a premises licence or club premises certificate or an application to vary an existing licence or certificate, within the cumulative impact area, a hearing of the Licensing Sub-Committee will be held. If during the hearing to determine the application, an applicant is able to demonstrate that there will be no negative impact on the authority's duty to promote the licensing objectives and there will be no increase in the cumulative impact, a licence may be granted. However, if it cannot be demonstrated that an application will not undermine the licensing objectives or demonstrate it will not increase the

cumulative impact with the areas specified in paragraph 4.1, then it shall be the policy of this Licensing Authority to refuse to grant the application.

4.11 This Cumulative Impact Assessment will not be used:

- As an absolute. The assessment shall always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted.
- as a ground for revoking an existing licence or certificate when representations are received about problems with those premises. Where the Licensing Authority has concerns about the effect of activities at existing premises between midnight and 6am on the promotion of the licensing objectives in a specific area, it may introduce an Early Morning Alcohol Restriction Order (EMRO) if there is sufficient evidence to do so.
- to impose quotas based on either the number of premises or the capacity of those premises. This is because quotas that indirectly have the effect of predetermining the outcome of any application would have no regard to the individual characteristics of the premises concerned.

4.12 The Cumulative Impact Assessment will be kept under review and will remain in existence for a period of up to 3 years. It will be subject to review and further consultation before April 2024, or as required by law at which point the licensing authority will consider whether it remains of the opinion set out in this assessment.

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

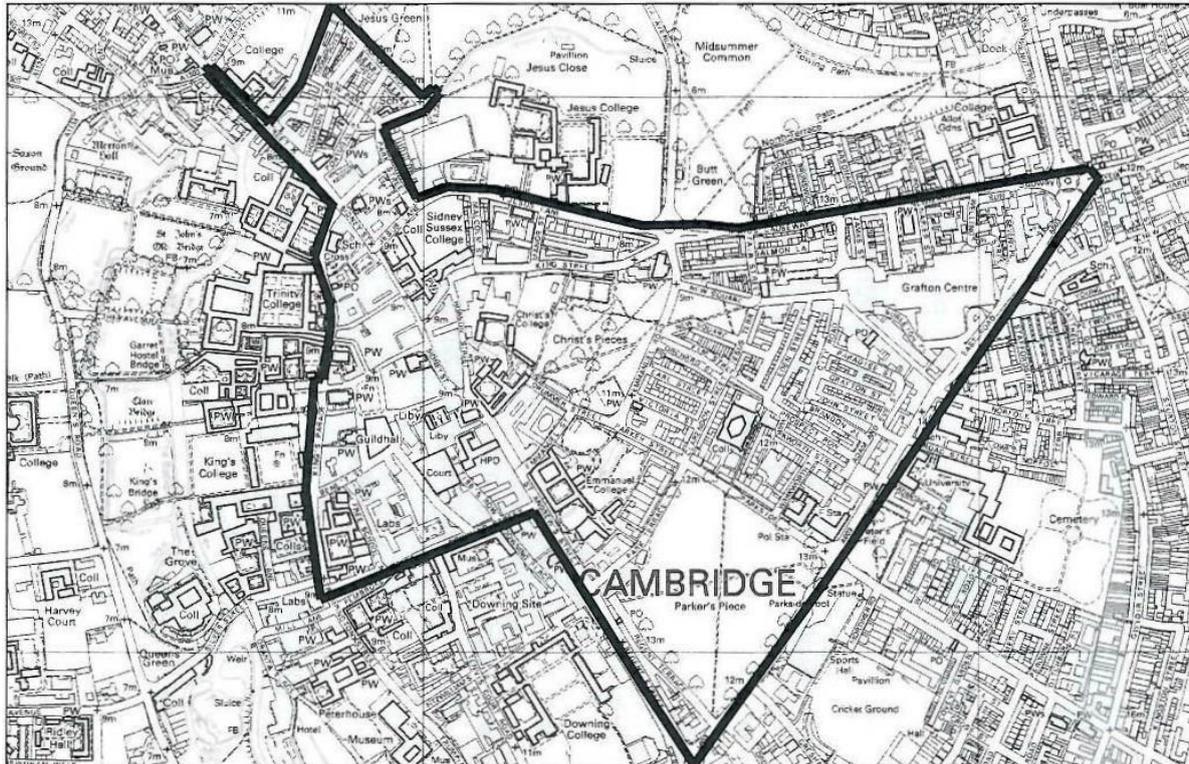
5.1 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. However, there are other mechanisms, both within and outside the licensing regime, that are available for addressing such issues. For example:

- 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.

5.2 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.

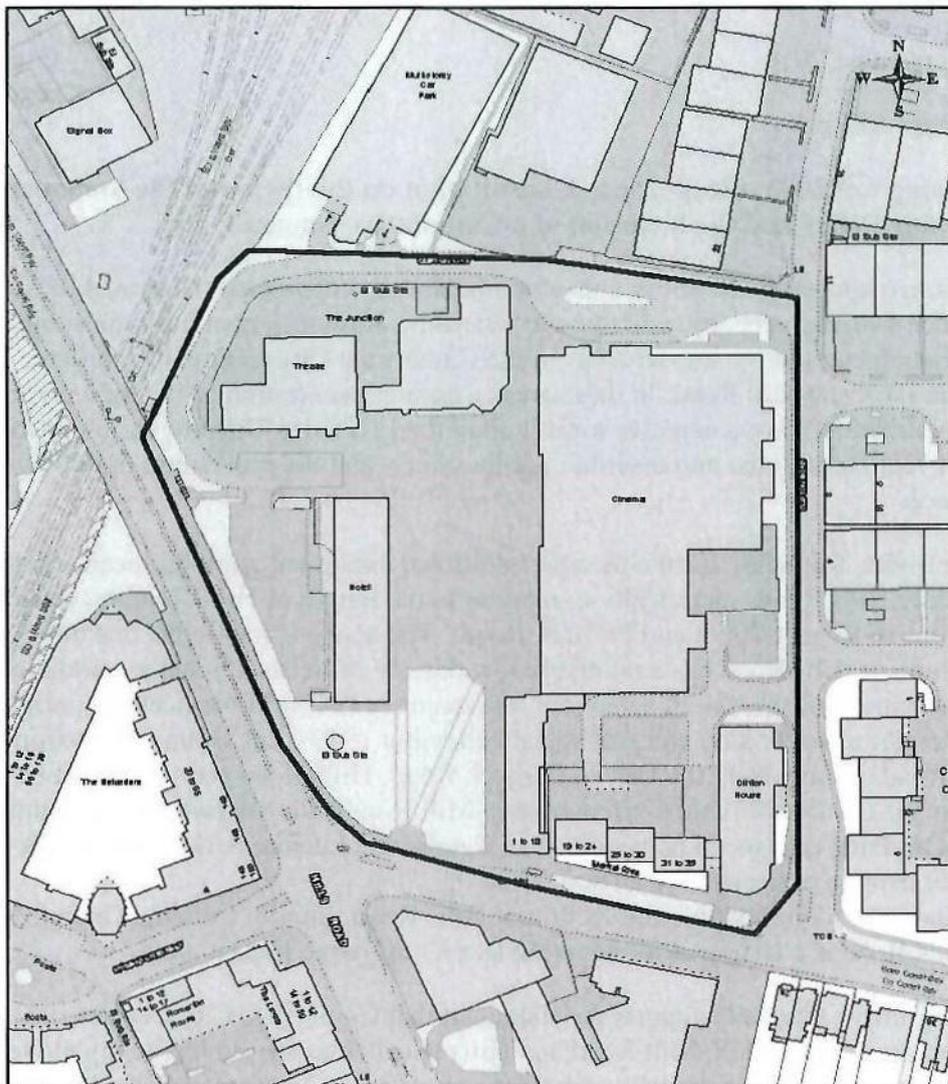
## Appendix 1 – Cumulative Impact Area City Centre



<b>Streets in Cumulative Impact Area Market Ward</b>			
Adam and Eve Street	Eden Street	Malcolm Street	Quayside
All Saints Passage	Elm Street	Manor Street	Regent Street
Beaufort Place	Emmanuel Street	Market Hill	Regent Terrace
Belmont Place	Fair Street	Market Passage	Round Church Street
Benet Street	Fitzroy Lane	Market Street	Salmon Lane
Brandon Place	Fitzroy Street	Melbourne Place	Severn Place
Burleigh Place	Free School Lane	Napier Street	Short Street
Burleigh Street	Gonville Place	New Park Street	Sidney Street
Clarendon Street	Grafton Street	New Square	St Andrews Street
Camden Court	Green Street	Newmarket Road	St Johns Road
Causeway Passage	Guildhall Place	Orchard Street	St Marys Street
Christ Church Street	Hobson Street	Paradise Street	St Tibbs Row
Christs Lane	Hobsons Passage	Park Parade	Sun Street
City Road	James Street	Park Street	Sussex Street
Corn Exchange Street	Jesus Lane	Park Terrace	Thompson's Lane
Crispin Place	John Street	Parkside	Trinity Street
Dover Street	King Street	Parsons Court	Warkworth Street
Downing Street	Kings Parade	Peas Hill	Warkworth Terrace
Drummer Street	Lower Park Street	Petty Cury	Wellington Street
Earl Street	Magdalene Street	Portugal Place	Willow Place
East Road	Maids Causeway	Prospect Row	Willow Walk

APPENDIX 2 – CUMULATIVE IMPACT AREA:

CAMBRIDGE LEISURE PARK



APPENDIX 3 – CUMULATIVE IMPACT AREA – MITCHAM'S CORNER, CHESTERTON ROAD AND MILTON ROAD



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Cumulative Impact Area - Mitcham's Corner

Date:	22 July 2020
Produced by:	3C Shared Services
Section/Department:	Spatial Team
Scale:	1:1,250 @ A3

## **APPENDIX 4 - CAMBRIDGE CITY CUMULATIVE IMPACT POLICY REVIEW 2020**

Three years data has been analysed, though it should be noted that we are dependent upon crimes and incidents having an 'alcohol' marker which is not reliably the case. Additionally, in May 2018 Cambridgeshire Constabulary converted to a new Crime recording system, which again required an 'alcohol' qualifier to be recorded against a crime for it to be included in these statistics. These figures relate to all alcohol related crimes and incidents recorded within the Cambridge Ward areas that have been identified using the recording systems – 'Crime File', 'Command & Control 3' and 'Athena'.

From the information that is recorded below, it can be seen that in Cambridge there is a general correlation between the ward areas with the highest number of licenced premises and the number of alcohol related crime and incidents.

<b>Alcohol Related Crime and Incidents</b>						
<b>WARD</b>	<b>Licenced Premises</b>	<b>WARD</b>	<b>Apr2017-Mar2018</b>	<b>Apr2018-Mar2019</b>	<b>Apr2019-Mar2020</b>	<b>TOTAL</b>
Market	245	Market	1151	714	813	2678
Petersfield	62	Petersfield	254	188	228	670
Trumpington	51	Trumpington	195	182	228	605
Abbey	33	King's Hedges	198	133	199	530
Coleridge	32	Abbey	159	160	198	517
Castle	32	West Chesterton	150	157	185	492
Newnham	32	East Chesterton	158	100	160	418
Romsey	26	Arbury	163	121	111	395
King's Hedges	24	Coleridge	144	108	141	393
Arbury	24	Romsey	104	92	108	304
Cherry Hinton	22	Queen Edith's	126	68	85	279
East Chesterton	16	Cherry Hinton	79	59	77	215
West Chesterton	14	Castle	74	53	58	185
Queen Edith's	11	Newnham	45	33	37	115
<b>TOTAL</b>	<b>624</b>	<b>TOTAL</b>	<b>3000</b>	<b>2168</b>	<b>2628</b>	<b>7796</b>

There has been an overall ~12% decrease in the number of alcohol related crimes and incidents recorded in Cambridge between April 2017-March 2018, and April 2019-March 2020.

The table below shows the highest 15 streets in Cambridge for reports of alcohol related crimes and incidents between April 2017 – May 2020. Ten of these streets being located within the existing City Centre Cumulative Impact Zone (CIZ). Hills Road and Mill Road also located in existing CIZs.

ROAD NAME	Crimes & Incidents April 2017 - May 2020	WARD
St Andrews Street	382	Market
Mill Road	232	Petersfield/Romsey
Hills Road	215*	Petersfield/Trumpington/Coleridge
Chesterton Road	211	West Chesterton/Arbury
Sidney Street	201	Market
Downing Street	200	Market
Regent Street	198	Market
Newmarket Road	165	Abbey
Milton Road	158	West Chesterton/Kings Hedges
East Road	143	Market
Parkside	136	Market
Lion Yard	117	Market
Guildhall Place	116	Market
Rose Crescent	116	Market
Market Hill	107	Market

\* excluding alcohol related crimes and incidents recorded at Addenbrookes hospital, Hills Road.

## MARKET WARD

The main hot spot areas for alcohol related crime and incidents in Market Ward, are focused on St. Andrews Street, Sidney Street, Downing Street and Regent Street. With St. Andrews Street accounting for 14% of all the alcohol related crime and incidents in Market Ward. Sidney Street, Downing Street and Regent Street all account for approximately ~7% respectively. This shows a continued requirement for the presence of the current city centre CIZ.

## COLERIDGE

Coleridge Ward has seen a small reduction of ~7% in the overall alcohol related crime and incidents from the period March 2014- February 2017 to March 2017- February 2020. However, over the same period the percentage of these crimes and incidents occurring on the Cambridge Leisure Park has seen a significant reduced from 30% to only ~9%, indicating that the presence of the current CIZ has been effective.

## PETERSFIELD/ROMSEY

Despite the combined figures for these two wards showing a ~5% reduction in the overall alcohol related crime and incidents from the period March 2014- February 2017 to March 2017- February 2020. There are still two 'hotspot' areas, namely; Mill Road and Hills Road.

Mill Road:

- A total of 232 (~22%) of all recorded alcohol related incidents and crimes in Petersfield and Romsey Wards occurs on Mill Road.
- There is a total of 44 Licensed Premises on Mill Road, made up of premises with on-licences, off-licences and both.
- Between 1<sup>st</sup> March 2019 – 29<sup>th</sup> February 2020 the police recorded 26 'street based' alcohol related incidents (not crimes) along the Petersfield section of Mill Road. The vast majority of these incidents refer to: street drinkers being abusive to members of the public, concerns for the safety of people 'passed out' on the

path, or persons walking in the road, presenting a danger to themselves and other road users. Additionally, a number of calls to assist ambulance staff who are trying to assess/treat uncooperative, vulnerable persons who are under the influence of alcohol/drugs.

## **PETERSFIELD AND TRUMPINGTON**

Hills Road:

- Over the 3-year period a total of 215 (~12%) of all alcohol related crimes and incidents within the Wards of Petersfield, Coleridge and Trumpington were recorded along Hills Road, not including those recorded as occurring at Addenbrookes hospital, Hills Road.
- The vast majority of these records indicate that the offending party was intoxicated, resulting in violent behaviour, with some leading to an assault, or displaying aggressive behaviour in a public place.

It is evident from the general downward trend in alcohol related crime and incidents that current CIZs are effective and are having a positive impact. However, the previously identified hotspots for these types of crimes and incidents continue to be problematic areas in Cambridge City, and therefore it is recommended that the current Cumulative Impact Zones remain in place.

## **WEST CHESTERTON**

It should be noted that over the last 3 years the statistics show that Chesterton Road is a hotspot area for alcohol related crimes and incidents.

There is a small section of Chesterton Road within Arbury Ward, but its majority is in West Chesterton Ward. Chesterton Road features 4<sup>th</sup> in the table for the highest alcohol related crimes and incidents which is concerning as it isn't located within any of the existing CIZ. The city centre CIZ borders the southern bank of the River Cam, and Chesterton Road is located just north of the river.

As a comparison with Mill Road, between 1<sup>st</sup> March 2019 – 29<sup>th</sup> February 2020 the police recorded 21 'street based' alcohol related incidents (not crimes) along Chesterton Road.

The vast majority of this incidents refer to incidents involving street drinkers being abusive to members of the public and shop staff, begging, fighting amongst themselves. Additionally, as with Mill Road we have recorded a number of calls to assist ambulance staff who are trying to assess and treat unwilling, vulnerable people who are under the influence of alcohol or drugs.

The majority of these reports are centred around the 'Mitcham's Corner' area, and roads leading off it. The areas include; the parade of shops and businesses on Milton Road (as far as Springfield Terrace), the section of Chesterton Road from Croft Holme Lane, along to Ferry Path, and the section of Victoria Avenue, north of the River Cam.

There appears to be disproportional Page 170 of alcohol related crimes and incidents in this area of the West Chesterton ward, considering it only has 14 licensed premises.

However, a high percentage of these premises are located within this 'hot spot' area. ~23% of all recorded alcohol related crimes and incidents occur along Chesterton Road. Therefore, consideration should be given to extending the city centre CIZ to include this area, or to create a new CIZ for this relatively small geographical area.

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## 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.

## Cambridge City Council Equality Impact Assessment (EqIA)

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Helen Crowther, Equality and Anti-Poverty Officer at [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) or phone 01223 457046.

Once you have drafted the EqIA please send this to [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, ([graham.saint@cambridge.gov.uk](mailto:graham.saint@cambridge.gov.uk) or 01223 457044).

<b>1. Title of strategy, policy, plan, project, contract or major change to your service</b>
Cumulative Impact Assessment
<b>2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)</b>
<a href="https://www.cambridge.gov.uk/content/licensing-overview">https://www.cambridge.gov.uk/content/licensing-overview</a>
<b>3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?</b>
To enable the council to exercise its functions under Section 5a of the Licensing Act 2003.  If the Council chooses to publish a cumulative impact assessment it must be produced, adopted and published.. The assessment must be reviewed every 3 years.
<b>4. Responsible service</b>
Environmental Services

<b>5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service?</b>  <b>(Please tick all that apply)</b>	<input checked="" type="checkbox"/> Residents <input checked="" type="checkbox"/> Visitors <input checked="" type="checkbox"/> Staff
Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here):  Click here to enter text.	

<b>6. What type of strategy, policy, plan, project, contract or major change to your service is this?</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Major change <input type="checkbox"/> Minor change
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<b>7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If 'Yes' please provide details below:  Responsible authorities play a part in delivering the assessment, these include the Police and Public Health.  The proposed publishing of the Assessment has been sent to responsible authorities, those directly affected by the assessment and has been open to a public consultation. All responses received have been considered when producing the assessment.	

<b>8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?</b>
Is going to Licensing Committee on 25 <sup>th</sup> January 2021

<b>9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?</b>
The assessment has been subject to a 12 week public consultation. The assessment recognises the Equality Act 2010 which places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and

victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.

## **10. Potential impacts**

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

### **(a) Age - Please also consider any safeguarding issues for children and adults at risk**

One of the licensing objectives is the protection of children from harm. The assessment helps support this objective. The Child Protection Services of Cambridgeshire County Council is a responsible authority and is recognised as being competent to advise on matters relating to the protection of children from harm.

They were consulted as a responsible authority and no response was received.

The safeguarding for children and vulnerable adults policy of Cambridge City Council will also be considered when determining licensing applications.

### **(b) Disability**

We do not believe that the assessment will impact negatively on this target group. The assessment has been open to a public consultation and no responses have been received in regards to the assessment impacting on those with a disability.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of disability.

**(c) Gender reassignment**

We do not believe that the assessment will have an impact on this target group. The assessment has been open to a public consultation and no responses have been received in regards to the assessment impacting on gender.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of gender.

**(d) Marriage and civil partnership**

We do not believe that the assessment will impact negatively on this target group. The assessment has been open to a public consultation and no responses have been received in regards to the assessment impacting on marriage or civil partnership.

**(e) Pregnancy and maternity**

We do not believe that the assessment will impact negatively on this target group. The assessment has been open to a public consultation and no responses have been received in regards to the assessment impacting on pregnancy or maternity.

**(f) Race – Note that the protected characteristic ‘race’ refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.**

We do not believe that the assessment will impact negatively on this target group. The assessment has been open to a public consultation and no responses have been received in regards to the assessment impacting on race.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of race

**(g) Religion or belief**

We do not believe that the assessment will impact negatively on this target group. The assessment has been open to a public consultation and no responses have been received in regards to the assessment impacting on religion.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of religion.

**(h) Sex**

We do not believe that the assessment will impact negatively on this target group. The assessment has been open to a public consultation and no responses have been received in regards to the assessment impacting on gender.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of gender.

**(i) Sexual orientation**

We do not believe that the assessment will impact negatively on this target group. The assessment has been open to a public consultation and no responses have been received in regards to the assessment impacting on sexual orientation.

The Licensing Authority will have regard to equality and will expect an applicant to meet their statutory obligations in this area and not unlawfully discriminate or refuse service on grounds of sexual orientation.

**(j) Other factors that may lead to inequality – in particular, please consider the impact of any changes on low income groups or those experiencing the impacts of poverty**

The assessment will have no impact on any other factors that may lead to inequality.

**11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqIA accordingly.)**

The assessment will be kept under review and will remain in existence for a period of up to 3 years. It will be subject to review and further consultation before February 2024 or as required by changes in law or other policies.

**12. Do you have any additional comments?**

None

### 13. Sign off

Name and job title of lead officer for this equality impact assessment: Luke Catchpole, Senior Technical Officer

Names and job titles of other assessment team members and people consulted: Gemma Tilley, Team Manager (Commercial & Licensing)

Date of EqIA sign off: 11th December 2020

Date of next review of the equalities impact assessment: February 2024

Date to be published on Cambridge City Council website: January 2021

**All EqIAs need to be sent to Helen Crowther, Equality and Anti-Poverty Officer. Ctrl + click on the button below to send this (you will need to attach the form to the email):**

**Send form**

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## **CAMBRIDGE CITY COUNCIL**

### **LICENSING POLICY**

### **RESPONSE TO CONSULTATION ON CUMULATIVE IMPACT ASSESSMENT AND POLICY**

#### **BY UKHOSPITALITY**

1. UKHospitality thanks Cambridge City Council (“CCC”) for the opportunity to submit comments on this important consultation.
2. UKHospitality is the UK’s hospitality sector industry body, representing over 700 companies which in turn operate around 70,000 venues in a sector that employs 3.2 million people. The body speaks on behalf of a wide range of leisure and ‘out-of-home’ businesses, from FTSE 100 enterprises to niche groups and independent single-site operators – covering pubs, restaurants, hotels, nightclubs, contract catering, leisure parks, visitor attractions and coffee shops. Data shows that pre-Covid total employment in the hospitality sector in Cambridge accounted for 13,698 persons.
3. UKHospitality notes that CCC only received a single response to the consultation. We appreciate that the consultation which started on 1<sup>st</sup> September was not within a national lockdown period, however, restrictions were in force from 14<sup>th</sup> September, including Tier restrictions from 14<sup>th</sup> October and a national lockdown commenced again on November 5th. As such during the consultation any businesses may have been closed and/or trading with a more limited offer. As such, we would respectfully suggest that it is possible that participation was impacted as a result of that. It is unclear how businesses were contacted to advise them of the consultation. UKHospitality is not aware of how the consultation was publicised. However, the reality has been that leisure operators have been fully occupied by the pressing matters caused by the pandemic, including dealing with creditors and their staff during the prolonged period of business disruption, and putting in place extensive measures to reduce the risk of transmission on their premises. In these unprecedented times, the protection of businesses from

insolvency has taken primacy, and responses to consultation exercises have naturally diminished.

4. Accordingly, UKHospitality is particularly grateful for the opportunity to participate, albeit belatedly, in this consultation process.
5. UKHospitality has also invited the well-known licensing barrister Philip Kolvin QC to prepare a brief paper on cumulative impact following the pandemic, which is attached. It is hoped that his views are found to be helpful.
6. UKHospitality summarises its position as follows:

(1) The only data underpinning the cumulative impact assessment concerns the number of licensed premises and the level of alcohol-related crime to March 2020. However, that data is now out of date. Because of the pandemic, many premises have closed or will close, or have changed or will change the style of their operation. Further, the quantum, pattern and causes of crime will also have changed significantly, and will continue to do so, as the profile of the city leisure industry alters, footfall is reduced and more entertainment is enjoyed at home. To adopt an expanded cumulative impact policy based on superseded data would be a flawed approach.

(2) A cumulative impact policy presumes against any further development of the licensed leisure industry. A policy of this nature may be justified where the overriding requirement of the City is to restrain such development. However, as the nation emerges from the severe economic hardship caused by the pandemic, with many town and city centre leisure units closed, it may well be that the opposite, or at least a less draconian, approach is needed, to prevent an ongoing increase in vacancies, and a reduction in business rate contributions, footfall and employment.

(3) In addition, at a time when the retail base of towns and cities is reducing, it may be considered important to promote leisure rather than restrain it. While Cambridge has a conspicuously successful retail core, it is notable

that it has the highest level of on-line spend in the UK – with over a quarter of spending on-line. The pandemic can be expected to increase that percentage to the detriment of its local high streets.

- (4) In these circumstances, UKHospitality respectfully suggests that CCC rolls over its current licensing policy, but without the cumulative impact element, for a period of 12 months. This will give CCC sufficient time to consider up to date licensing and crime data following the pandemic, and adopt a policy which reflects the needs of the city in what will undoubtedly be a new era.
- (5) Failing that, CCC is requested simply to roll over its existing policy for a period of 12 months, including the current cumulative impact element, but not to expand its cumulative impact areas.
- (6) The policy should make provision for temporary modifications of licences to help businesses survive and adapt during the crisis.
- (7) The policy should specifically promote pavement licensing, which provides crucial income at a time when physical distancing has to be maintained indoors.

If the Council takes up the suggestion of revisiting its cumulative impact policy at this unprecedented time, UKHospitality will be pleased to furnish the Council with further data and policy suggestions, to enable the Council to adopt a policy which achieves a suitable balance between public protection and cultural development.

UKHospitality

January 2021

## **CAMBRIDGE CITY COUNCIL**

### **LICENSING POLICY CONSULTATION**

#### **PAPER BY PHILIP KOLVIN QC**

1. I have been asked by UK Hospitality to comment briefly on Cambridge City Council's proposed licensing policy which, following an analysis of crime data to March 2020, would readopt the current cumulative impact areas and add a further one. This paper should not be viewed as legal advice, much less as an intimation of a legal claim. Rather, it is intended to provide some hopefully helpful ideas in relation to the formulation of policy at a time of crisis for the industry.
2. As everybody is aware, this is a time of unprecedented difficulty for the hospitality industry, and one which will continue to affect the licensing landscape across the nation both now and in the medium and long term.
3. The hospitality industry as a whole has faced severe financial and operational constraints over the last 10 months, with many having been forced to close permanently or temporarily. As is well-understood 2021 will be a further extremely difficult year, with rising levels of unemployment and debt and falling economic activity. For those businesses which can afford to open, the need for social distancing, the increased operational costs of Covid-secure measures and a growing consumer preference for home entertainment will further hamper the viability of licensed premises.
4. In summary, for an industry which trades on small margins, it is inevitable that Covid-19 will have an extremely serious long-term impact. Quarter 2 Gross Domestic Product data recently published showed a decline of around 20% for the UK economy overall – but for the hospitality sector it was even worse with a massive 85% decline. New commercial data for Quarter 3 showed that the sector's sales fell a further 48%, even with the boost from Eat Out to Help Out, the VAT cut and extra 'staycations'. In addition, a UKHospitality survey of companies undertaken in November 2020 showed almost half (41%) of

businesses that were surveyed suggested that they would fail by mid-2021. 23% said that they would do so by the turn of the year.

5. The 10pm curfew saw sales fall around 20% year-on-year from already depressed levels. In terms of visitors to the UK, hotels surveyed were reporting a 50% increase in cancellations, with forward bookings from October falling by 20%. Finally, Christmas trade forms a key part of hospitality's 'golden quarter,' which many businesses rely on for significant amounts of their annual revenue. This year, due to restrictions, cancellations and distancing measures, revenues were extremely limited: the recent UKHospitality survey of our membership indicated a revenue loss of £73 billion for this year (-57%), and this was before the November lockdown was announced and in place. UKHospitality is still updating Q4 data, which is anticipated will show further severe significant impact on the sector due to the strengthening of tier restrictions heading into Christmas and the resulting loss of trade and the national lockdown that commenced at the start of 2021 and currently has no end date set.
6. In such a climate, two matters are clear. The first is that any previous analyses of cumulative impact will be out of date. The second is that there is a social and economic imperative to facilitate and not frustrate business development. This is not to say that there should not be licensing controls: quite the contrary. It is simply to say that the usual tools of control under the Licensing Act, namely the assessment of the impact of proposals on the licensing objectives, provides a sufficient safeguard at this time. They do not need to be supplemented by a presumption against new or varied licences.
7. Additionally, it is axiomatic that any adoption of cumulative impact policy should be underpinned by an up to date CIA assessment. What is already clear though is that many businesses will not survive and the licensing landscape will not return to its pre-March 2020 state. It is quite impossible in these circumstances to predict crime data, but it is almost inevitable that reductions in premises and footfall will produce less alcohol-related crime in the public realm, although quieter streets and the reduction in SIA supervisors who perform an important security role may produce an increase in other sorts of crime. It is also possible

that a greater proportion of home consumption will produce a greater proportion of alcohol-related crime in domestic settings, but that will certainly not be a function of the number of licensed premises.

8. All of this would apply to any town or city, but there are some special features of Cambridge which may also have an effect. The entire cumulative impact proposal is based around two quite crude measures of overall licensed premises and overall alcohol-related crime. I would respectfully suggest that there are many other important measures, e.g. what type of premises (on-licences/off-licences, nature of premises such as bars/ clubs/restaurants/cinemas/theatres), what hours are the licences, what are the types of crime (inside premises/outside premises/somewhere else, violence/public order) and what day and times are the crimes committed? A picture whereby most crime is committed at 3 a.m. when nightclubs disgorge requires a completely different policy response to a picture whereby crime is committed all day by street drinkers. The latter may well have little to do with the number of on-licences, but may have a lot to do with how alcohol is sold from off-licences and the city's response to the issue.
9. The imposition of a cumulative impact policy is the most draconian lever available to a licensing authority. Usually, it is based on some relatively detailed analysis of relevant data. Cambridge has not undertaken that exercise, but there is the additional issue that the data cannot realistically be taken as a reliable basis for the policy because of the intercession of the pandemic.
10. The corollary of this, of course, is that the presumption against any further licences or even material variations may well not be an advisable policy position for Cambridge as it emerges from the pandemic and seeks to maintain a vibrant high street, employment and cultural opportunities, a reputation for a good standard of leisure provision and so forth. It is the equivalent of imposing a presumption against new building following a hurricane.
11. Considerations of this sort have moved other authorities to revisit and remove their cumulative impact policies with recent examples being Trafford with effect from 7<sup>th</sup> January, Hereford from 11<sup>th</sup> December and additionally cumulative impact policies in the last few months have been removed in Birmingham,

Bournemouth, Hartlepool and Oxford are currently consulting on the removal of theirs.

12. Even if the Council wishes to maintain a cumulative impact policy, it would presumably wish to do so against up to date and sensitive data, and in a less blanket way than is currently the case. E.g. is the presumption to be against all premises or just types of premises, and for all hours or just particular hours? Would the Council like to state what it supports as well as what it opposes, and would it like to set standards which may assist operators to overcome the policy strictures?
13. In all of these circumstances, while it is entirely a matter for the Council, I can see value in revisiting this policy in 12 months' time when the new economic and leisure landscape is clearer, and when some more detailed analysis has been carried out, and some further consideration has been given to what the future vision is for leisure in Cambridge; and also when there has been a consultation which has produced a credible level of responses.
14. In the meantime, however, there is the question of what to do with the policy now.
15. My suggestion is that the policy should be rolled forward but without the cumulative impact element. However, it should be explained why this has been done, and it should be indicated that the matter will be revisited in 12 months' time. It should also be said that it remains open to any person to oppose a licence application based on cumulative impact, and the authority will then consider whether the application should be refused, or conditions added, based on cumulative impact considerations.
16. If the Council does not consider such a course acceptable, then it might decide to roll forward the existing policy, without extending the current cumulative impact areas, for 12 months, followed by a policy review once the outcome of the pandemic is known.

17. Furthermore, the policy might make interim provision for a more flexible approach for businesses which wish temporarily to modify their business model to help them survive, explore new ways of working and help them to adapt to rapidly changing customer types, numbers and needs.
18. As CCC will be acutely aware, operators facing these unique challenges are striving to adjust and create new business models to attract a diminishing number of customers in lower capacity premises trading over fewer hours than their licences currently permit. These changes might involve layout alterations, use of parts of the premises not previously used for trading, expansion out of doors, trying to trade over extended hours, or revising the business model so as to introduce more seating, more food or an element of performance. This is all strongly to be encouraged to help to save the hospitality industry and ensure a continuation of a diverse offering.
19. Given the dramatic decreases in footfall over the last few months and the inevitability that it will remain depleted over the short to medium term, it is suggested that there is good reason to permit greater flexibility for variations which will only operate for at least 12 months from the date of opening or implementation of variation, as the case may be. (It is important that time runs from opening or implementation rather than grant since it is uncertain when premises will be able to re-open fully or at all).

The following policy wording is suggested:

*Temporary Modifications*

*“The Licensing Authority will take a flexible approach to applications for new premises licences or variations of premises licences which:*

*(1) are expressed to be for a period expiring no later than [12 months from opening or implementation, as the case may be.*

*(2) comply with the relevant policies in this Statement of Licensing Policy.*

*The purpose of this policy is to permit and encourage businesses to take a flexible approach to their business models in order to help them adapt and to survive the pandemic and its consequences. The licensing authority particularly wishes to endorse layout changes, expansions of space and flexing of business models which help to diversify the Cambridge economy and attract a wider customer base. In deciding on such applications, the Licensing Authority will give weight to the temporary nature of the proposal, and that the fact that, if granted, the proposal will be implemented during a period in which overall trade and footfall is significantly diminished.*

21. The further benefit of such a Policy would be that businesses will have an enhanced opportunity to try out different business models. This will give them and CCC the opportunity to consider the impact of such models on the licensing objectives, which will improve the evidence base for the review of the licensing policy which it is suggested takes place one year from now.
22. I do however need to contextualise and qualify that suggestion in two respects.
23. First, I am not suggesting that such applications are only ever granted on a temporary basis. The operator must decide whether it wishes to make an application in the usual way. If the application is for an open-ended licence or variation, it is for the authority to decide whether the policy tests are met and whether the licensing objectives are undermined.
24. Second, and linked, is the consideration that for new licences in particular, it is unlikely to be viable for the business to apply for a 12 month licence, due to the investment and property commitment required and the need for business uncertainty in an uncertain environment. The suggestion is to enable an increase in applications, not to reduce the opportunity for investment.
25. It should be noted that this approach of temporary modifications is not unusual. For example, it is known that Plymouth, Hartlepool and Westminster, which all operate Cumulative Impact Policies, have granted temporary permissions for time-limited extensions of hours for a circa 12 month period so that the impact

can be assessed, in view of the impact of the pandemic on the hospitality industry.

26. Finally, and briefly, the Council may wish to consider creating a positive policy in favour of pavement licensing, which is such a crucial lifeline for businesses which cannot break even based on the number of tables they are permitted indoors, and such a positive opportunity for customers who are concerned about the risks of socialising inside premises.
27. I would conclude by saying that the pandemic has had an unprecedented impact on the hospitality and entertainment industry nationwide.
28. In my view, the appropriate response is to use the policy to nurture the hospitality industry, and seek to rebuild a sustainable, diverse offering rather than presuming against all licensing development.
29. I do hope that these views are helpful.

**PHILIP KOLVIN QC**

**14 January 2021**

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