

LICENSING SUB COMMITTEE

30 March 2021
10.30 - 11.40 am

Present: Councillors Bird, Gehring and Massey

Licensing Enforcement Officer: Trisha Kaye
Legal Adviser: Paul Weller
Committee Manager: Claire Tunnicliffe
Meeting producer: Liam Martin

Present for the Applicant
Applicant: Emma Wynne
Applicant's Representative: Frank Fender

Members of the Public present x2

FOR THE INFORMATION OF THE COUNCIL

21/5/Lic Appointment of a Chair

Councillor Massey was appointed as Chair for the meeting.

21/6/Lic Declarations of Interest

No declarations of interest were made.

21/7/Lic Meeting Procedure

All parties noted the procedure.

21/8/Lic Rutherfords Punting

The Licensing Enforcement Officer presented the report and outlined the application.

In response to members' questions the Licensing Enforcement Officer made the following points:

- i. Confirmed the Police had made no objections to the application.
- ii. Believed the application was not in a cumulative impact area.

The Applicant's Agent) advised the area in which the application was requesting where customers consumed their products was not in the cumulative impact zone. But the area where customers boarded Ruthfords punts was in the tip of the cumulative impact zone.

One of the members of the public questioned the cumulative impact area and stated the application would have a detrimental impact on the residential apartments that faced directly on to the river.

Applicants presentation.

In response to the questions raised to the application the Applicant and Agent said the following:

- i. Confirmed that customers were informed they could not take their drink off the punt; typically, drinks were left on the punt unfinished.
- ii. Historically alcohol had only been offered on Champagne tours, this was limited to one glass of champagne per person.
- iii. There was no application to vary the licensing hours, this would remain as it currently stood.
- iv. Most sales would come from the punt tours, but the application was also a way to 'future proof' the company.
- v. The price point of the produce being sold was a key factor to the application. A bottle of wine would cost £30 and therefore felt there would be no bulk purchases.
- vi. Alcohol products were stored away from the site not at the punt station. Orders would be taken and brought to site from the storage unit by a bespoke cycle.
- vii. A typical customer was a visitor to Cambridge who had incorporated a punt tour as part of their trip before moving on to another experience in the City.
- viii. The current hours were from 09:00 to 21:00; this would allow the licence holder a degree of flexibility should there be a request for an early morning punt.
- ix. By not changing the licensing times this would allow internet sales to be met from taking the orders from storage to delivery.
- x. There was a legal duty not to sell alcohol to an individual(s) who were intoxicated.

Other Persons

A member of the public made the following points in addition to their written representation.

- i. Made no objection to the type to the type of sale that the Applicant had spoken of. Was concerned there was a cumulative impact on individuals drinking around Jesus Green.
- ii. People would view those drinking champagne whilst waiting to use the punts on Jesus Green, (close to residential properties) and this could encourage 'drinking parties' in the area due to the activities of the punting stations.
- iii. There were several restaurants, bars and outlets which sold alcohol in the area already which the application would add to.
- iv. Felt there was no control by the City Council to prevent the anti-social behaviour that occurred in the area.
- v. Public toilets in the area were closed at 7pm and should be opened later.
- vi. Alleged late night parties took place on all punts which included staff.
- vii. Argued there was a cumulative impact on the residents which the Council were not taking seriously, better controls were needed for all punt's companies on the river. Residents did not feel supported.
- viii. Believed the quality of life for residents had been affected.
- ix. Over the last three years there had been a rise in anti-social behaviour, littering and lewdness. The punting stations were a beacon for individuals to come to the area.
- x. Did not accept the price point would control behaviour; there were people who would thinking nothing about a few bottles of wine at £30 a bottle.
- xi. Had a good working relationship with Rutherfords.
- xii. Would like all punt companies to invest in CCTV and drunken behaviour was reported.
- xiii. Suggested a bin store should be placed on Jesus Green that was paid for by all punts companies to store the rubbish away which they would be reasonable for.
- xiv. All punt companies should ensure that the punts were secured at night.

The Chair advised comments regarding anti-social behaviour was taken seriously and would be taken forward. The issue was not specific to this application.

The second member of the public made the following point in relation to their written representation.

- i. Would like all alcohol and soft drinks to be banned on the punts when the public toilets were shut. All applications should be linked to the opening and closing time of the public toilets in the area.

The Chair advised it was not within the gift of the Committee to consider changing the opening and closing time of the public toilets, but this could be raised outside of the meeting.

Summing Up

The Licensing Enforcement Officer said the following:

- i. The application was a variation of hours to provide alcohol sales before and after a pre-booked punt tour.
- ii. No complaints had been received regarding the licence since it had been granted in 2018.

The Applicant's Agent concluded:

- i. The location for the consumption of the product sold by Rutherford's was not in a cumulative impact zone.
- ii. The City Council had recently introduced a new cumulative impact zone and this area had not been included.
- iii. The Police had not made any representation to the application.
- iv. There was no law to stop individuals going to Jesus Green and eating and drinking.
- v. Rutherford's were asking for their customers to be allowed to pre-order products before their punt tour to be consumed on Jesus Green.

Decision

- i. The Licensing Sub Committee granted all parts of the variation of the licence with the condition that the operator provide recycling and general refuse collection generated by their service they provide.
- ii. The condition suggested by Environmental Health Services and agreed by the applicant relating to off sales was added to the licence. This condition be strengthened by the requirement that it remains supervised throughout.
- iii. The existing conditions apply.

Reason for reaching the decision were as follows:

- i. There had been no complaints about the applicant and their customers.

- ii. The applicant has a good relationship with nearby residents.
- iii. The conditions of the licence mean none of the licence objectives were in danger.
- iv. This was not in a cumulative impact area.
- v. The price point indicates this was not for mass drinking.
- vi. Realise this was a sensitive area but the applicant is not adding to the pre-existing problems.

The meeting ended at 11.40 am

CHAIR