

LICENSING SUB COMMITTEE

1 July 2024
10.00 am - 3.00 pm

Present: Councillors Blackburn-Horgan, McPherson and Young

Officers

Environmental Health and Licensing Support Team Leader, presenting as the
Licensing Officer: Luke Catchpole
Legal Adviser: Elizabeth Lanlehin
Committee Manager: Claire Tunnicliffe
Committee Manger: Sarah Steed

Present for the Applicant

Matthew Taylor

Registered Public Speakers

Public Speaker No 1: Elizabeth Yarrow
Public Speaker No 2: Alexis Mather
Public Speaker No 3: Ben Rollings

FOR THE INFORMATION OF THE COUNCIL

24/18/Lic Appointment of a Chair

Councillor McPherson was appointed as Chair for the meeting.

24/19/Lic Declarations of Interest

No declarations of interest were made.

24/20/Lic Meeting Procedure

All parties noted the procedure.

24/21/Lic The Alcademy, Premises Licence Application

The Licensing Enforcement Officer presented their report and outlined the application, advising that the date of 6 May 2024 referenced in the report as the last day of submission for representation was incorrect and should have been 4 June 2024.

A registered public speaker stated that there was in fact twenty-one representations, not twenty as outlined in the Officer's report, with three in support.

The applicant expressed surprise at the number of representations opposed to the application and had they been aware would have launched a campaign (as had done at their previous licensed venue) encouraging people supporting the application to write in.

Applicant's Presentation

- i. Had been involved in running businesses in Cambridge for the past ten years.
- ii. Also had run a charity in Cambridge. Worked at Winter Comfort which was near the location of the application so knew the area well and the clients that Winter Comfort took care of.
- iii. The objective of the venue was to create a community-based hub, which offered tours of Cambridge based on well known individuals, starting, and ending at the venue.
- iv. This application was not to create a Wetherspoons type public house, i.e. selling of cheap alcohol in large quantities.
- v. Although had requested a licence for music and performance, did not expect to use the licence for all the hours available, but this would allow for flexibility; stated the venue did not yet have a music licence.
- vi. A professional acoustic engineer had visited the site to take sound measurements emanating from the venue. The premises was a two-storey venue (with basement) which had previously been a bank so was well secured, the basement well sealed with a large thick ceiling, already naturally sound proofed, where a variety of functions would be run with a continental café/ bar on the ground floor.
- vii. Readings taken by the acoustic engineer from the flat above, which would be used by the landlord, (before additional soundproofing been installed), no sound could be heard from the music from the basement played at the decibel level permitted at ground floor level.
- viii. If music was being played in the basement (the maximum number of people in the basement would be approximately sixty people), music would not be heard emanating from the basement on the street level, the flats above or the flats behind.
- ix. When an application would be made for a music licence, this would be supported by the acoustic sound engineer's recommendations.

- x. No live music would be run from the ground floor, the only music played from this level would be background music; all licenced venues had the option to play background music if required.
- xi. Sound may be heard from the venue if the doors were opened but this would be minimal. Therefore, believed the objections relating to sound were unreasonable.
- xii. Would be applying for a table licence to have tables and chairs outside in keeping with other venues on Chesterton Road, not the parklet (sidewalk extension providing more space and amenities) as shown by the architect in the literature.
- xiii. The area was in an impact development zone which was one of the main reasons why it had been decided to set up a venue in this location.
- xiv. There was redevelopment in the area with the Westbrook Centre earmarked for a biotech hub and the Staples store approved for redevelopment. This would bring additional people to the area. It was hoped that the venue would appeal to both residents and those working in the area.
- xv. Would not serve any food or drink to the outside area after 9.30pm as agreed with Environmental Health.
- xvi. The sound of people talking at the outside table and chairs would be no louder than those people sitting outside other venues. Therefore, the representation that there would be excessive sound from outside customers was not valid.
- xvii. Had visited all the venues in the area and had seen no issues with people being rowdy.
- xviii. Described the area as upmarket and genteel, different to drinking in certain areas in the city such as Regent Street which was frequented by a large percentage of young people.
- xix. Problems had occurred in the area, but this was when events were taking place local to the area, such as the Cambridge Beer Festival and Strawberry Fair with people walking to and from the events.
- xx. Reported that recent problems had been caused by people outside of the county who had smashed windows in the area.
- xxi. Aimed for the same clientele as the applicant's last venue, the Engineer's House, located at the Museum of Technology. Had renovated the grounds and the house on behalf of the museum and turned the business into a profit which had been done very successfully.
- xxii. The venue would have a positive impact to the Cumulative Impact Area as it would be providing employment for local people as the applicant had at previous venues.
- xxiii. At previous venues had asked local people what events they wanted and had endeavoured to host and support these evenings, as was the plan

- with this application. Usually there was no entry charge but made money on the sale of food and drink.
- xxiv. Seemed to be basic objections to any new venue opening; believed this venue would enhance the neighbourhood.
 - xxv. Had spoken to many Trafalgar Road residents and while there were some who objected, there was also those who were very positive regarding the application.
 - xxvi. As a company had a large social media following, 5000 followers and 2000 people on the mailing list.
 - xxvii. The price of alcohol would be higher than a Wetherspoon public house deterring binge drinking and those on a lower wage scale.
 - xxviii. The landlord of the proposed venue had thirty years' experience in the industry. Had managed the Carpenter's Arms and various public houses. Was a member of Cambridge City Rowing Club and knew the area well. Wanted the venue to be frequented by the people he knows, such as those from the rowing clubs and cycle clubs.
 - xxix. Acknowledged there had been a representation stating there had been no consultation; admitted had not consulted with everyone.
 - xxx. Had consulted with the Police who advised on the work that needed to be undertaken as outlined in the application. The Police Licensing Officer then had no objection.
 - xxxi. Wrote to all local Councillors and with the relevant consultees.
 - xxxii. Posted on the CB4 WhatsApp group by way of introduction outlining the plans for venue. Also put the details on the company's own website and Instagram. Sent information to the Trafalgar Road WhatsApp group.
 - xxxiii. Held an open day to meet and greet to discuss the proposals and listen to any ideas that residents had for the venue.
 - xxxiv. Did not want to upset residents who were neighbours. The venue needed to be opened and if there were issues experienced, would listen to what people had to say and then these could be dealt with.
 - xxxv. The venue was not intended to be used as a nightclub or discotheque.
 - xxxvi. The venue could be used by residents and could host the children's party in the basements with parents sitting upstairs.
 - xxxvii. As previously mentioned had worked in the charity sector working with a range of people from all different parts of society.
 - xxxviii. Had experience of working with people from a range of different backgrounds sometimes in challenging circumstances.
 - xxxix. Would ensure there was good order from those using / leaving the venue but could not police the entire area.
 - xl. One of the objectors had stated that Trafalgar Road would be used as short cut when leaving the venue but disputed this. Had measured the

- distance from the venue to Victoria Bridge and it was longer if patrons used Trafalgar Road and Trafalgar Street.
- xli. Toilets on site would be open until the venue closed; disagreed that Trafalgar Road and Trafalgar Square would be used for people to stop and urinate by their customers.
 - xlii. Would like to offer accredited wellbeing courses, yoga classes, life drawing, films nights, creating a venue where people felt at ease, able to hold conversations, learning in a semi-informal environment. It would also be a place where people could relax and have a drink.
 - xliii. Reiterated that the area was in a designated development zone which would bring additional bars and cafes to the area. When completed Mitcham's Corner and the area would become a destination part of Cambridge.
 - xliv. Wanted the venue to be an end point that people wanted to visit due to the variety of interesting activities and events that would bring people to the area in a positive way.

In response to Members' questions the applicant said the following:

- i. When the planning application was submitted this included submission from an architect whose drawings were of a parklet. After speaking with Council Officer's this idea had been dismissed as it meant people would be crossing the pavement.
- ii. Would be applying for a pavement licence to have table and chairs alongside the front wall. The pavement was very wide to accommodate this and would be like the other venues in the area.
- iii. There was no access to the basement other than via the stairwell. A disabled toilet had been allocated on the ground floor and it would be possible to stream live events taking place in the basement to the ground floor.
- iv. Regarding the licensing objective of the prevention of crime and disorder, had consulted with the Police to ask for advice on what to put in the application. After various conversations the Police had no objections to the application.
- v. The landlord had vast experience of working in the hospitality industry; both (landlord and applicant) had good people management.
- vi. Staff would be brought over from the previous venue who had been trained to understand and meet various policies, such as health and safety, child protection and these would be adapted to the new venue.
- vii. Had a range of policies to meet the licensing objectives.
- viii. It was in the venues best interest to ensure that the venue and local area was kept quiet and not seen as nuisance to residents.

- ix. There was no parking at the venue but would anticipate people arrived on foot, cycle or use public transport. Parking could be found on one side of the Chesterton Road. Information would be placed on the website regarding parking in the area and would encourage patrons to use alternative modes of transportation.
- x. Off sales expected would be sales of bottles of wine which would be at a higher price compared to a supermarket.
- xi. Would expect from 8am to midday the venue to be used as a café, people having coffee, breakfasts and ordering sandwiches at lunch time. Events would also be run in the morning.
- xii. Hoped the venue would attract local people and workers in the area at lunch time. The morning tours would end in the afternoon at the venue, and another would start in the afternoon.
- xiii. Hot food would be served from 6pm approximately with events taking place in the basement.
- xiv. Had applied from 11am to 11pm from Monday to Saturday, Sunday was different.

**Committee Managers note: At this point in the meeting the Licencing Officer corrected their report, correction underlined.*

13 The last day of submission was 10 May 5 June 2024

1.4 Representations were received from twenty-four other persons twenty-one against the grant of the licence with three in support.

Public Speaker (No 1) presentation

- i. Lived on Trafalgar Road, with three children under the age of five, first house adjacent to the block of flats on the right which the venue would be a part of.
- ii. Concerned about the proposal to add a bar adjacent to a family home that would serve alcohol seven days a week, both inside and outside; particularly the element of outside street drinking, where crowds of people gathered, and music could be played all day and into the night after the children had gone to bed.
- iii. Heard the assurances of how sound proofed the venue was, but this was a bar that would be positioned in a residential block of flats and proposed to play live music and hold DJ nights.
- iv. Promotional pictures advertising the venue showed the window and doors open with crowds of people gathered inside and outside.
- v. Heard the applicant speak of the venue becoming a destination venue but at the same time residents were being reassured there would not be

- through traffic or noise pollution and people coming in and out of the venue.
- vi. Had been told that Trafalgar Road was a dead-end road and did not lead to anywhere, but from personal experience, residents and those in the surrounding area used the road to go into the city, the surrounding parks and to the river.
 - vii. Had lived on Trafalgar Road since November 2023 and in that time had been subjected to incidents of public nuisance in the area; recently had a group of youths sitting on the wall outside the bay window of their property, when they confronted them was met with expletives and told to get back inside the house.
 - viii. Concerned that on-street drinking from the venue adjacent to the property would increase this anti-social behaviour recently experienced and the wall outside to the bay window would provide bench seating for people while drinking and smoking.
 - ix. Concerned about the use of the side road (an alleyway at the side of the house) as it offered an opportunity to undertake activities relating to anti-social behaviour such as the selling of illegal substances and the use of, away from the venue.
 - x. People drinking in the street would not always use the toilets provided, especially if the venue was busy, it would be easier to walk to urinate outside elsewhere, ie the alleyway.
 - xi. The reassurances from the applicant were vague and full of assumptions which were impossible to police, such as, wanted to attract people to the area but it would be the right type, nice middle-class people. How could this be monitored, provisions for this could not be written into a licence agreement.
 - xii. Asked how the applicant could be sure that the type of people using the venue would not create a public nuisance for them or their children?
 - xiii. Sounded as if the venue was not going to be accessible to all residents in the area. Those disabled, elderly with mobility issues and young mothers with prams or pushchairs would not be able to access the basement for events, such as the yoga or the pre-natal classes that had been spoken about.
 - xiv. Residents would love the community to develop. The day before this meeting the street had been closed (under an official road closure) for residents to meet and have coffee and cake while the children played outside.
 - xv. Would welcome the proposal of a café and the venue with community events, such as life drawing, yoga etc. The element of a bar serving alcohol all day every day on and off the premises with loud music was what residents objected to.

- xvi. Did not believe that this element of the venue (the bar) would enhance the community and would only create additional harm in a Cumulative Impact Zone area which was already surrounded by pubs and bars.

Public Speaker (No 2) presentation (slide show was shown)

- i. The applicant had acknowledged the sale of alcohol would increase in a Cumulative Impact Area when stating more people would be in the area when the development zone had been completed.
- ii. The applicant's engagement with residents had started nine days before the closing date for submission, after the number of objections received had been forwarded to the applicant for information.
- iii. The applicant's open day had been held on the eve of the closing date for submission, the engagement had not been open and proactive during the entire licensing process.

**Committee Managers note: At this point in the meeting the applicant confirmed three people had attended the open day when questioned by the Chair.*

- iv. The neighbourhood had an active community who organised events around Trafalgar Road and Trafalgar Street, who held a community day, the day before this meeting with a road closure.
- v. Presented the West Chesterton ward incidents and West Chesterton, Coleridge ward crimes shown in the Cumulative Impact Area as circled in red on the presentation. This showed Trafalgar Road and Trafalgar Street on the right, inside the circle, granting the application would only increase number of incidents and crime in the area.
- vi. Highlighted to Members the location of the site to Chesterton Road and Trafalgar Road and the number of public houses near the site. Six were within a five-minute walk of the application.
- vii. In 2019 there were only two licensed premises on Chesterton Road, north from Trafalgar Road down to Victoria Avenue, accounting for 20% of the retail in the Cumulative Impact Zone. If the application was granted this would go up to 65% on that strip of road within five years.
- viii. Cambridge City's Cumulative Impact Assessment policy review 2023, showed West Chesterton alcohol related crimes up 11.1% from 2019/20 to 2022/23 and that Chesterton Road sat 'stubbornly' in fifth place in all of Cambridge.
- ix. Quoted the response made by Superintendent Gallup to the Cumulative Impact Zone consultation held in 2023,
"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”.

Although the Police had not opposed the application they remained concerned about the amount of alcohol led incidents and crime.

- x. Lived on Trafalgar Street, rear neighbour was a property on Chesterton Road, Thirsty, a bar and bottle shop who held an existing licence from 2019.
- xi. Thirsty had to apply for a variation on their licence as the terms were being violated by using the outside area without permission. The same issue was taking place two doors away with Taste from Hungary pushing the boundaries of the licence.
- xii. Knew from experience that having signs to ask patrons to leave quietly and respect their neighbours are ignored, it cannot be policed, and these left residents concerned.
- xiii. It seemed that once a licence had been granted this was a baseline which could be escalated from as had witnessed and experienced.
- xiv. This application represented 83.5 hours of alcohol sales a week which was the major concern to residents.
- xv. While there was much to be admired in terms of the applicant’s proposal and there was some benefit that was possible, if the licence was granted, the venue could turn into what was on paper, another public house.
- xvi. The property was fifty metres from the site and backed on to an unnamed alleyway and had witnessed anti-social behaviour taking place there and would continue to be misused.
- xvii. Extremely concerned about patrons leaving the site and walking down Trafalgar Road and Trafalgar Street, regardless of distance these roads were used by patrons in the area walking home, talking loudly particularly between 11pm and midnight.
- xviii. Trafalgar Street was narrow, and sound carried extremely well, particularly when the weather was hot and windows were open, and the sound carried into the bedroom. Adding another establishment fifty meters away would only add to the noise pollution.
- xix. Asked the applicant on the open day what would happen if the proposed reading, yoga, wellbeing, walking tours did not work out as a business and had to revert to running a regular public house, the response was, that no guarantees could be made about the future.
- xx. Would ask the Committee to consider what had been written on the application, the request for the hours of an alcohol licence, this was the fear that residents had. There was no guarantee that this would not happen the day after the licence had been granted and turn into another public house.

- xxi. Also had asked the applicant on two occasions if they would consider reducing the licensing hours, to which they refused.
- xxii. Would ask the Committee to deny the application in full and request the applicant engaged fully with the community before making a more reasonable submission.

Public Speaker (No 3) presentation (slide show was shown)

- i. Lived on Trafalgar Road with a very proactive community around.
- ii. Showed on the map public houses and where to buy and consume alcohol north of Trafalgar Road along Chesterton Road, with a public house on Ferry Path to the east and another south, including two supermarkets within a short distance of the site. This map did not include any restaurants that sold alcohol.
- iii. Twenty of the objections were from residents who lived on Trafalgar Road, Trafalgar Street, Chesterton Road and a couple above the venue itself and the Boathouse.
- iv. The objections showed a strong community who cared about the area, who liked the concept of community events but not the licensing hours. As a resident of Trafalgar Road had experienced issues of public safety and general nuisance and did not want anymore, the application would only add to it.
- v. The notice of the application went on public display on Thursday 9th May, the image posted in the Community WhatsApp group, went to look at it over the weekend and the application was no longer on display, although it had been securely fastened with several pins.
- vi. Reported the missing notice to the Council and it had been put back up. Questioned if this had not been reported to the Council whether there may have been no public notice throughout the consultation period.
- vii. Showed Members the location of the venue with a photo, showing the view down Trafalgar Road, the unnamed alley, the entrance to Trafalgar Street, the entrance to the venue was the corner of Chesterton Road which run down the side of the venue.
- viii. The unnamed alleyway was 25 metres away from the venue, this was not lit at night. Gates backed onto the alleyway which belonged to homes along Trafalgar Road and Trafalgar Street, which residents, including children accessed to the back gardens.
- ix. Had witnessed (as had other residents), drug use taking place in the alleyway, it being used as a toilet, and loitering as it was so dark.
- x. A further image showed the residential gardens backing on to the alleyway and how close Thirsty and Taste of Hungary were as they were on the opposite site of the alleyway. The back gardens were very

peaceful but noise at conversation level could easily be heard from Thirsty and Taste of Hungary. Thirsty had used their rear garden as unlicensed space offering a comedy night and playing music.

- xi. Showed photographic evidence of the antisocial behaviour that took place in Trafalgar Road, sitting on residents' wall to the property, empty beer bottles left in the street, urinating.
- xii. Residents, including children, used the corner of Chesterton Road when exiting Trafalgar Road where the venue entrance faced on to at least twice a day.
- xiii. Approaching the venue from the other side of Chesterton Road, was Mitcham's corner which was a busy main road (ring road), with vehicles, cyclists and pedestrians.
- xiv. Showed Members an image of a vehicle parked on double yellow lines at the top of Trafalgar Road (a regular occurrence), blocking the view of the corner of Chesterton Road where the venue stood when exiting via a vehicle.
- xv. Showed a bird's eye view of the site and surrounding areas supplied by the applicant. This showed an open stairwell in the middle of the basement, music and noise would spread, as it would bounce up and around the open stairwell. The plan also showed open windows at the front of the venue, entrance on to Chesterton Road with proposed seating outside.
- xvi. The promotional material showed people outside the venue standing and sitting on the pavement, while chatting, no one was shown with a drink in their hand. Had witnessed cars mounting the pavement, delivery vehicles parking on the pavement, it was heavily used by pedestrians including the children going to and from school. This addition of the outside seating would add to the noise and would be a public safety issue.
- xvii. The community event referenced by the previous speakers had been well attended by residents of all ages in a safe environment due to the road closure on Trafalgar Road.
- xviii. Described the community as diverse, tight knit in a very safe family orientated area. These were the types of events that were embraced by the community and would like more of.
- xix. Outlined venues in the immediate area to Trafalgar Road, with a variety of price points of alcohol sales in the area:
 - Café on Chesterton Road 'embraced by the community', seating arrangements which kept the pavement clear for pedestrians and did not serve alcohol.
 - An old-fashioned university cycle shop, variety of shops including a traditional butcher.

- A family run business, La Dispensa which served alcohol, operated as a deli but did not open late and only opened one day at the weekend.
 - The Co-op directly opposite and family run business newsagent.
 - Grape Britannia selling fine wines with indoor seating only.
 - Thirsty, bar and bottle shop, who had listened to residents' concerns over the 'licence creep' into the garden and agreed to what the resident's wanted from their business for them to operate.
 - A new café on Victoria Avenue had opened selling food, drink, and vinyl.
 - Café Culture, (no alcohol sales), a family run business, opened on the opposite corner to the proposed application. Open to 9pm on Friday and Saturday and 11am to 3pm in the week. This was the type of business that residents wanted, suited the character of the quiet residential areas such as Trafalgar Road / Trafalgar street.
- xx. Trafalgar Road and Trafalgar Street was a family orientated area with a variety of residents living there, which included PhD students, children, elderly people, a resident with mental health issues sensitive to noise. The area was peaceful.
- xxi. Showed the promotional material of the venue including DJ nights in the basement working with London Sound, a techno music organisation.
- xxii. Finished with the promotional image of people outside the venue with each person representing a sale of alcohol, with sounds emanating from the venue which could be live streamed to the ground floor level. This could be every night of the week. How would residents, in particular the children be able to negotiate this corner every day.
- xxiii. Very worried about the business plan and had no confidence in the applicant to run a business.
- xxiv. Questioned why those in the local area were not consulted, it was bad business not to have carried out any market research. The public consultation that had taken place was a panicked reaction to the number of objections received.
- xxv. Would ask the panel to deny this application, how would the licensing objectives be met when the applicant could not market themselves or communicate properly.

In response to Members' questions the registered speakers said the following:

- i. The corner which the venue stood was well used by residents daily who travelled north from Trafalgar Road and Trafalgar Street, such as driving

- to and from work, children going to and returning from school either on foot or parents using cargo bikes, and residents going about daily life.
- ii. From the applicant's site plan, it appeared that the outside licenced area covered the totality of the north pavement right up to the kerb.
 - iii. The issue was the venue faced onto a corner which meant that people would naturally turn left or right, into the Trafalgar Road or on to the street.
 - iv. Would welcome the venue if there was no alcohol licence.

In response the registered speakers' presentations the applicant said the following:

- i. Worked in criminal justice for fifteen years, was aware of the difficulties working with ex-offenders, young people at risk and how to manage them.
- ii. The Engineer's House (referenced in the presentation) had been in an area known as a problem area in Cambridge with issues of anti-social behaviour. After renovation the area had been transformed and were very strict with how the venue was managed building good relationships with people and built a successful business.
- iii. Had no plans to change the character or the direction of how had previously worked to encourage the wrong type of clientele to this part of Cambridge.
- iv. Had consulted with the Police to ensure that all aspects of the licensing objectives would be met.
- v. Was not in their business interest to create difficulties in this area.
- vi. Would describe the venue as a sophisticated European bar.
- vii. Interested speakers seemed to have exaggerated concerns about issues which had not happened.
- viii. Had signed up to various agreements with the licensing authority and had policies in place to meet these. If people were drunk they would not continue be served.
- ix. It was not the type of venue where people would come to 'get drunk', prices were on the higher end of the scale.
- x. The venue had been shut for several years, wanted to open a nice welcoming venue which operated in the interest of the local community.
- xi. Concerns have been raised about what might happen, wanted to create a venue that would be used by local people which people of all ages felt safe in.
- xii. There would be a lobby downstairs in the basement which would be fully enclosed as would the area over the stairs. Would not be allowed to have noise leakage from the basement, noise levels would be set in agreement with the Council.

- xiii. Windows did not open at the front of the venue on the ground floor.
- xiv. The seating area outside would be the same layout as all the other venues with outside seating. Would be applying to be a parklet.
- xv. Part of Mitcham's Corner development area so there would be more businesses/ venues coming to the area in the future.
- xvi. Did not understand where the idea the venue would entice the type of customer that would create problems for residents of Trafalgar Road.
- xvii. Believed that patrons would use the main road to Victoria Bridge (which was a shorter distance) than down Trafalgar Road and cut through the alleyway.
- xviii. Had been on site for several weeks and had not witnessed the alleyway being used a short cut around the back. There appeared to be very little foot traffic down Trafalgar Road.
- xix. Could not stop people using the alleyway as it was a public right of way.
- xx. Exaggerated concerns about what type of venue there was going to be and the noise concerns not valid.
- xxi. The venue would be community focused with no charge to rent the space for their events; income would be made from the sale of food and drinks.
- xxii. Promotional pictures shown were old images from the first application made produced by the architect, but things had changed since this first application.
- xxiii. Website had been opened for a year open for comments. Was regularly on site and could always be approached. It was untrue that they have not been available.
- xxiv. Highly experienced staff working in the venue.
- xxv. Believed that the venue would be an asset to the area and would be used by local people.

Summing Up

Public Speaker (No 1)

- i. The distance between the venue and Victoria Bridge or cutting down Trafalgar Road was 'much of a muchness'. Access to the river was at the end of Trafalgar Road, was a much more pleasant walk.
- ii. Could not stop waking people down Trafalgar Road when leaving the venue who were drunk, potentially being loud.
- iii. The venue was being sold as a community hub, yet the entire community was not consulted and there were so many objections from the local community.

- iv. The venue was not accessible to everyone in the community and not safe for the kind of activities that the applicant had proposed, such as a children's party.
- v. The application was for a licence for the sale of alcohol all day, every day with live music.
- vi. The promotional material showed DJ nights, people drinking outside on the street.

Public Speaker (No 3)

- i. This was not Riverside (the location of the applicant's previous venue) but a completely different type of location.
- ii. If the applicant's previous venue was such a successful business why did it get shut down due to the licensing issues.
- iii. Music played by DJ's were loud, even background music could be a disturbance.
- iv. The applicant's suggestion that children's parties could be held in the basement while the adult's waited upstairs was a worry.
- v. How could a civilised euro style venue be created when the community around it were not even consulted?
- vi. Lost faith in the applicant due to how the business has been set up, marketed, and run.
- vii. Did not feel that the communities' concerns were being listened to or addressed; felt there was aggression in responses from the applicant.
- viii. Scared of what could happen on the corner which the venue stood on and would not enhance the community but would cause harm.

Public Speaker (No 2)

- i. All the public speakers, those who had raised objections, had not made exaggerated claims but had lived experienced of the issues raised and were fearful that it was going to get worse as a direct consequence of the licence.
- ii. Was not concerned about theoretical issues that had not happened yet as suggested, but this had occurred and continued to happen.
- iii. Truly shocked to hear some sort of inference that the public right of way is a public right to be a nuisance because it's not.
- iv. Have heard people walking down Trafalgar Road / Trafalgar Street speaking loudly who were inebriated which occurs on a regular basis and do not want an increase of these occurrences. The applicant has made a statement that they could pretty much guarantee that this would not happen but had not shown what would be done and how to guarantee this.

- v. The neighbourhood was quiet during the day but the noise increased in the evening particularly around closing time of the surrounding venues.

Licensing Officer.

- i. Referred to the Officer's report, paragraph 5.2, Members should take such steps they considered necessary for the promotion of the licensing objectives. The Sub-Committee may resolve:
 - a) to grant the licence subject to the mandatory conditions and those conditions offered by the applicant which may be modified to such extent as the authority considers necessary for the promotion of the licensing objectives;
 - b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) to refuse to specify a person in the licence as the premises supervisor;
 - d) to reject the application.
- ii. Members must give reasons for their decision

The Legal Advisor asked the registered speakers if they would be happy for reduced licenced hours. In response public speaker No 3 stated that they had not come prepared with an answer to that question and had initiated that discussion with the applicant at the open day on two occasions and was advised that there was no scope for compromise.

The Legal Advisor then asked the applicant if they would consider a variation in the licenced hours to operate the alcohol licence. In response the applicant advised that a standard licence had been applied for, as they wanted the flexibility, this was not a late licence and was the same as all the venues on the street had. From experience most people went home around 9.30pm.

The Chair closed the meeting at 12.20pm for the Licensing Sub Committee to consider to the application on its individual merit in private session.

During the deliberations the meeting was reconvened for the following question to be put forward.

- i. If the Committee were minded to reduce the licensable hours would that be acceptable to all present.

In response public speaker no2 said no as the licence should be declined and the applicant go through the steps of community engagement and discussion so a compromise could be reached.

The decision

To grant the licence with the following conditions:

- 1) No alcohol to be consumed outside the premises.
- 2) The following times shall apply to the sale and consumption of alcohol on the premises:
12:00 to 19:00 Monday-Sunday

Our reasons for reaching the decision are as follows:

- 1) We have considered other licences in the area and their opening and closing times. Two premises are far away from residential areas. The others are very different types of establishments; being delicatessens, restaurants and a shop. The remainder are cafes with earlier closing times. There is only one comparable bar close by with an extended closing time but the customers of that establishment are likely to avoid the residential streets, due to its location.
- 2) This premises is on a residential road and likely to have a greater impact on the nearby residential streets.
- 3) With reference to paragraph 3.2 of the agenda, the onus is on the applicant to demonstrate why the granting of the licence would not add to the cumulative impact already being experienced within the area. We found that the reported issues primarily occur at nighttime. The Applicant has not fully demonstrated why granting the licence would not add to the cumulative impact of the area. We have therefore restricted the licensing hours.

The meeting ended at 3.00 pm

CHAIR