

LICENSING SUB COMMITTEE

15 July 2024
10.00 am - 12.20 pm

Present: Councillors Bick, Blackburn-Horgan and Griffin

Officers

The Environmental Health and Licensing Support Team Manager: Luke Catchpole
Legal Adviser: Elizabeth Lanlehin
Committee Manager: Claire Tunnicliffe

Present for the Applicant

Tom Thacker
Geoffrey Nix

FOR THE INFORMATION OF THE COUNCIL

24/26/Lic Appointment of a Chair

Councillor Griffin was appointed as Chair for the meeting.

24/27/Lic Declarations of Interest

No declarations of interest were made.

24/28/Lic Meeting Procedure

All parties noted the procedure.

24/29/Lic Cambridge Taproom - Premises Licence Application

An application under section 17 of the Licensing Act 2003 to apply for a Premises Licence with respect to Cambridge Taproom had been received from Cambridge Taproom Ltd. The Environmental Health and Licensing Support Team Leader presented the report and outlined the application.

In response to Member's questions the Environmental Health and Licensing Support Team Leader said the following:

- i. If the licence was granted there was a condition attached that off sales for takeaway customers would cease at 9pm, Friday and Saturday. This

- was to negate a negative impact to the area. However, this could be written into the decision.
- ii. Both Licensing and Democratic Services had not received any notification (completed LAR1 form) that the objector (Kings Street Neighbourhood Association) had applied to attend this meeting and address the Committee in person.
 - iii. There was no City Council policy restricting the number of outlets for the consumption of alcohol within the Council's area of control. The onus was on the applicant to demonstrate why the granting of the licence would not add to the cumulative impact already being experienced within the area.
 - iv. Within the Statement of Licensing Policy there was no assertion that the City Council should promote the long-term health of the public with respect to alcohol-related illnesses.
 - v. The Health Service, as a responsible authority had been notified of the application and had an opportunity to make comment.
 - vi. The prevention of public nuisance was a licensing objective that the Committee should factor when considering the application.
 - vii. There had been no previous premise licence at this specific address.
 - viii. The applicant had applied to play recorded music between the hours as applied for; DJ's qualified under the banner of recorded music.

The Applicant advised that four new units had been built on the original façade of the site, one of which was for the applicant.

Applicant's Presentation

- i. Had undertaken correspondence and conversations with Cambridgeshire Constabulary Licensing Officer, PC Metcalfe, to understand the Cumulative Impact Area, the type of licenced premises on Kings Street and the surrounding area.
- ii. If the application was granted this would be the sixth licenced premises on the street.
- iii. The business was a craft beer establishment which offered a different way of alcohol consumption which was not linked to high volume drinking or binge drinking. Prices would be at a premium.
- iv. Owned the same business model, The Hop Box, Ware, East Hertfordshire, the average customer would visit for an average of 45 minutes for two drinks, usually half pints or thirds. Typically, the customer would then browse the fridge for take away options.
- v. The fridge would mirror what was on draft and the customer would usually take one or two cans home with them.

- vi. Through speaking with PC Metcalfe, it had been decided that the 9pm cutoff for off-sales, Friday and Saturday, would have a positive impact to the Cumulative Impact Area. The average price of a takeaway can was £6. For a similar price multiple cans could be purchased from a supermarket; this price point did not encourage on-street binge drinking.
- vii. The business model attracted a different clientele as proved by the business in Hertfordshire which had been opened for two years.
- viii. Analytics from this business showed that the busiest times for trade was 6pm to 8pm on a Friday. Usually, people came in for a drink before going out for dinner, or on their way home from work and would take a couple of off-sales home.
- ix. This business model was different to the more traditional pub where business would build up to the busiest time between 10pm -11pm.
- x. Over the course of a week business would slow down between 8pm - 10pm, therefore there would be very little scope of a cross over of those who used the Cambridge Taproom to the nightclub in proximity.
- xi. It was anticipated that that business would be steady throughout the week but did not anticipate a spike in business at the weekend.
- xii. On average two hundred customers came through the door at the business in Hertfordshire, with the busiest time after work up to 8pm. When the business shut at 10pm, there were usually a handful of customers leaving the building at the end of the night.
- xiii. Music would be played from a Spotify playlist through a speaker for background ambiance, which would not disturb the conversation.
- xiv. The plan was to sell fresh craft beer through 12-18 lines initially working with independent business, Baron Brewing, based in Great Hornead, East Hertfordshire 'a one-man band who brewed the beer on this family farm'. Half the lines would be supplied by Baron Brewing and the others a guest beer on a rotating basis.
- xv. Baron Brewing would be in the forefront of the promotion of the venue. The business would operate as a free house, not tied to large breweries.
- xvi. The way that people enjoyed craft beer was through a journey of discovery, understanding and learning of new beers, it was very interactive and community way of enjoying a drink.
- xvii. The façade of the building was an aluminium glass frontage, approved by a separate application. Windows could not be opened, with a recessed single front door in keeping with the rest of the public houses on the street.

In response to Member's questions the Applicant said the following:

- i. The maximum capacity of the venue would be 100, to 120 people. Provision for seating 40 people.

- ii. The takeaway fridges were lockable, which would be locked if required, people would usually come to the fridges to browse and ask members of staff for recommendations.
- iii. The fridges were placed as shown on the drawing as this was the best location to be in the eyeline of the patrons and were a focus point for both staff and customers. There would be CCTV directed on the fridges.
- iv. At the business in Ware, there was always one member of staff permanently behind the bar, other staff members could roam about the premises when required, to interact with customers, collect glasses etc. The space was open plan which gave the staff behind the bar clear sight of the customers and the fridges. The model would be the same for this application.
- v. Currently one member of staff was needed for the business in Ware during the week which would increase at the weekend. It was difficult to advise of the allocation of staff before the business was up and running as would need to look at the analytics.
- vi. Had spent three to four months working on the application, talking to various consultees such as the Police, Environmental Health and the Licensing Officer to understand the rhythm of Cambridge and Kings Street and where the business could add value.
- vii. Wanted to be an asset to the area and provide a space that people are proud of and want to be a part of.
- viii. The premises was a blank canvas, and it was important to understand the concerns of the neighbouring residents and how these could be addressed, listen to Councillors and would think if the space needed to be changed etc.
- ix. Was a member of pub watch in Ware and attended a public watch meeting once a month, shared information and was part of the WhatsApp's group so vital update information could be shared instantly. Would do the same for this application.
- x. Understood that noise was a concern for residents but felt the application would not add to or enhance the noise in the area.
- xi. Above the application was student accommodation for Christ's College who were the landlord. The University had made it very clear that the students were not to be disturbed by noise, and they needed to be aware of key dates in the academic calendar.
- xii. Envisaged that a DJ night would take place for a special occasion such as a community festival event, a city-wide music event or a beer festival. This would be advertised through signage, word of mouth and social media. Would be happy to apply through a Temporary Event Notice for such events.

Committee Manager note: At this point of the meeting the Licensing Officer clarified that a DJ was classed as recorded music if playing off a play list. The Live Music Act 2012 de-regulated live music and recorded music; a premise licence which permitted the sale of alcohol also enabled recorded or live music to be played between 8am and 11pm without the need for being on the licence. If the music did become a nuisance to the public, Environmental Health would become involved as under the statutory noise nuisance the premise licence would be reviewed, and conditions could be added if necessary. As the application had applied until 11.30pm, the Committee could impose a condition between 11pm -11.30pm at this time.

- xiii. Had no plans to play live music, unless invited to take part in a city-wide event. Believed a temporary events notice would be applied for if this was to happen.
- xiv. The product was a premium price, currently in the bar in Ware, the cheapest drink was £6, the most expensive three times that amount. Had never offered discounted beer or happy hour and did not plan on doing so.
- xv. The application offered one toilet and one disabled toilet. Could look to see if an additional cubicle was possible but had never had an issue at the premises in Ware when at times there could be forty people in the venue.
- xvi. Did not feel the need for additional outside lighting as there were streetlights outside. As the venue was a glass frontage there would be light from the bar. Did not want to add to unnecessary light pollution.
- xvii. Baron Brewing would deliver the beer once a week via transit van, there was a loading bay outside the property, usually between 10am -12pm.
- xviii. Had been in discussion with PC Metcalfe regarding a radio / built in camera scheme as part of the pub watch scheme, although this was not finalised. Would be part of the Whatapps group for instant communication between venues.
- xix. Although the business model was the same as the venue in Ware, the clientele would be different as Cambridge was an international city with a large transient population. Baron Brewing had its own loyal following which would bring in its own customer. Believed, there would also be a local market as it was in a residential area, therefore there were different customer bases with their own needs.
- xx. There would be signs inside the venue to advise that drinks would not be allowed to be taken outside. The pavement was very narrow and did not lend itself to people standing outside. Signage would be placed around the venue asking people to be respectful of the neighbours when leaving.

Summing up

The Environmental Health and Licensing Support Team Leader said the following:

- i. Referred to the Officer's report, paragraph 5.1, Members should take such steps they considered necessary for the promotion of the licensing objectives. The Sub-Committee may resolve:
 1. 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.
 2. To exclude from the scope of the licence any of the licensable activities to which the application relates.
 3. To refuse to specify a person in the licence as the premises supervisor.
 4. To reject the application.
- ii. Members must give reasons for their decision

The decision

- i. To refuse the application for recorded music after 23:00 as the Applicant can use Temporary Event Notices.
- ii. To grant the Alcohol Licence Application (with conditions):
 1. Maintenance of risk assessment for general staffing level to ensure proper supervision of access to the products.
 2. Alcohol products to be restricted to premium priced.
 3. The premises shall devise and implement a dispersal policy to ensure patrons do not congregate outside the premises, and they disperse from the premises in an orderly and quiet manner so not as to disturb residents within the vicinity. Notices shall be displayed in prominent positions at the exits to remind customers to respect any resident, neighbours and keep noise to a minimum.

Reasons for reaching the decision are as follows:

- i. This premises is in a residential area and likely to have a greater impact on the nearby residents.
- ii. 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. The reason for the conditions are that we found that the Applicant has not sufficiently demonstrated that the premises will not adversely affect the cumulative impact area.

The meeting ended at 12.20 pm

CHAIR