

Cambridge City Council

**Licensing Hearing Panel (Licensing 2003 Act)
Sub Committee**

Date: Monday, 6 October 2025

Time: 12.00 pm

Venue: Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ [access the building via Peashill entrance]

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

Agenda

- 1 Appointment of a Chair
- 2 Declarations of Interest
- 3 Meeting Procedure
- 4 Consideration of an Application for a Premises
Licence to be Granted for Burleigh Phone and Vape
Shop, 34 Burleigh Street, Cambridge, CB1 1DG (Pages 7 - 52)

Licensing Hearing Panel (Licensing 2003 Act) Sub Committee
Members: Blackburn-Horgan, McPherson and Swift

Emergency Evacuation Procedure

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front St Mary's Church. The duty Officer will assume overall control during any evacuation, however in the unlikely event the duty Officer is unavailable, this responsibility will be assumed by the Committee Chair.

Information for the public

The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public.

For full information about committee meetings, committee reports, councillors and the democratic process:

- Website: <http://democracy.cambridge.gov.uk>
- Email: democratic.services@cambridge.gov.uk
- Phone: 01223 457000

Democratic Services aim to live stream this meeting on the Council's YouTube channel. However, please note that live streaming may not always be possible. If the service cannot be provided, this will be clearly stated on the agenda page of the City Council's website. Regardless of whether the meeting is streamed, members of the public are welcome to attend the meeting in person.

If you wish to speak at this meeting, you must complete an LAR1 form which will be sent to you by the Licensing Department to register with Democratic Services.

Licensing Act 2003 - Licensing Sub-Committee: Hearings Procedure

Preliminary Matters

1. A chair is appointed and confirmation of chair by the Legal Advisor.
2. **The Chair** will ask if there are any declarations of interest
3. **The Chair** will commence the hearing by introducing him/herself, the other two members of the Sub-Committee and the officers present.
4. **The Chair** will ask the applicant(s)/the responsible authorities/the interested parties present, and their representatives (if applicable), to introduce themselves and identify their interest in the proceedings.

Failure of a party to attend the hearing

5. If a party has informed the licensing authority that he/she does not intend to attend or be represented at a hearing, the hearing may proceed in his/her absence.
6. If a party who has not so indicated fails to attend or be represented at a hearing, the Sub-Committee may –
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
7. Where the Sub-Committee holds the hearing in the absence of a party, the Sub-Committee will consider at the hearing the application, representations or notice made by that party.
8. **The Chair** will explain the procedure to be followed at the hearing and will confirm whether the Sub-Committee must reach its decision at the end of the hearing or within 5 workings days of the hearing beginning with the day or the last day on which the hearing was held, depending on the application being heard.
9. **The Committee Manager of the Sub-Committee** will indicate whether any party has requested permission for any other person(s) (other than his/her representative) to appear at the hearing to assist the Sub-Committee in relation to the application, representations or notice of the party making the request. The Sub-Committee will decide whether to grant permission to allow any other person(s) to appear at the hearing on behalf of the party; such permission will not be unreasonably withheld.
10. **The Committee Manager to the Sub-Committee** will ask whether any party is seeking to introduce any document(s) or other information not previously disclosed to all the other parties to the hearing and the licensing authority. If all the other parties consent, the previously undisclosed document(s) or other information can be produced by a party in support of their application, representations or notice (as

applicable).

- 11.The hearing will take the form of a discussion led by the Chair of the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers that cross-examination is required to consider the representations, application or notice as the case may require.
- 12.The Sub-Committee will consider any requests to permit cross-examination on a case-by-case basis. When permission is given to one party, it will also normally be extended to all other parties.
- 13.The Sub-Committee will decide the equal maximum period of time that each party will have to present their case.

The Hearing

- 14.The Licensing Officer will present the report to the Sub-Committee.
- 15.Members may ask any relevant questions of the Licensing Officer.
- 16.The applicant or applicants representatives may ask any points of clarification to the Licensing Officer.
- 17.Any other interested parties may ask any points of clarification to the Licensing Officer.
- 18.The applicant, or the party who has initiated the hearing, will present their case first.
- 19.The applicant / party shall be entitled to:
 - give further information in support of their application, representations or notice (as applicable) in response to a specific request by the licensing authority prior to the hearing;
 - question any other party (if permission has been given by the Sub-Committee);
 - address the Sub-Committee.
20. Members may ask any relevant questions of the applicant or party.
- 21.The Licensing Officer may ask any points of clarification to the applicant or party .
- 22.Any other interested parties may ask any points of clarification to the applicant or party.
- 23.If the Police are a party to the hearing, they will present their case. The Police have the rights listed in paragraph 17 (a) – (c) above.
- 24.If any other “responsible authority” are a party to the hearing, they will present their case in turn after the Police and have the rights listed in paragraph 17 (a) – (c) above.
- 25.Any other interested parties will then present their case in turn and have the rights listed in paragraph 17 (a) – (c) above.
- 26.Members of the Sub-Committee may ask questions of the/each party or any other person permitted to appear at the hearing in support of the party.
- 27.**The Chair** will invite the Licensing Officer and any other interested

parties making representations, to briefly summarise their points if they wish.

28. **The Chair** will then invite the applicant, or the party who has initiated the hearing, to briefly summarise their points

29. **The Chair** will ask the applicant, or the party who has initiated the hearing, the Licensing Officer and all interested parties making representations, that they are satisfied that they have said all they wish to.

The Decision

30. In considering any representations or notice made by a party, the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

31. In reaching its decision, the Sub-Committee will disregard any information given by a party, or any person who has been permitted to appear at the hearing, which is not relevant to –

(a) a- The application, representations or notice (as applicable) or in the case of another person, the application, representations or notice of the party requesting their appearance, and

(b) b - The promotion of the licensing objectives or, in relation to a hearing to consider a notice given by the Police, the crime prevention objective.

32. The Sub-Committee may consider its decision in private and may move into private session where it considers that the public interest in so doing outweighs the public interest in that part of the hearing taking place in public. If the Sub-Committee do move into private session, then all the parties and their representatives, any other person permitted to appear at the hearing, officers, the public and the press will be asked to leave the room whilst the decision is made.

33. The subcommittee will complete the record of decision and shall be signed by all subcommittee members

34. The subcommittee may choose not to make the decision on the day, but the decision must be made within 5 working days beginning with the day or the last day on which the hearing was held and published.

35. If the decision is made on the day The Chair will tell those present at the meeting the decision taken by the Sub-Committee and the reasons for the decision.

36. Once signed by subcommittee the Committee Manager will send to the Licensing Officer to issue to the applicant copying in the Legal Advisor and Committee Manager.

37. The Committee Manager will publish the decision.

38. The Licensing Officer will amend the licence if necessary and issue the license to the applicant.
39. **There is a right of appeal for any decision which must be made within 21 days of the decision being sent to the relevant parties.**