

# Public Document Pack

## NOTICE OF COUNCIL MEETING - 25 OCTOBER 2012

Dear Councillor,

A meeting of Cambridge City Council will be held in the Council Chamber - Guildhall on Thursday, 25 October 2012 at 6.00 pm and I hereby summon you to attend.

Dated 17 October 2012

Yours faithfully

A handwritten signature in black ink, appearing to read 'AP Jackson', written in a cursive style.

Chief Executive

### **Agenda**

- 1 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 19TH JULY 2011**  
*(Pages 1 - 22)*
- 2 MAYORS ANNOUNCEMENTS**
- 3 PUBLIC QUESTIONS TIME - SEE AT THE FOOT OF THE AGENDA FOR DETAILS OF THE SCHEME**
- 4 TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE FOR ADOPTION**

**4a The Medium Term Strategy (The Executive)**

Report published separately

**4b Housing Revenue Account (HRA) Mid-Year Business Plan Update (Executive Councillor for Housing)**

Report published separately

**4c Council Appointments to the Conservators of the River Cam (Executive Councillor for Planning and Climate Change)**

*(Pages 23 - 62)*

**5 TO CONSIDER THE RECOMMENDATIONS OF COMMITTEES FOR ADOPTION**

**Licensing - 8 October**

**5a Review of Gambling Principles**

*(Pages 63 - 104)*

**5b Statement of Licensing Policy**

*(Pages 105 - 150)*

**6 TO DEAL WITH ORAL QUESTIONS**

**7 TO CONSIDER THE FOLLOWING NOTICES OF MOTION, NOTICE OF WHICH HAS BEEN GIVEN BY:**

## **7a Councillors Ward and Smart**

This Council wishes the Secretary of State for Communities and Local Government to note the following:

Cambridge City Council believes that local people, through their democratically elected local authorities, are the most suitable judges of what development is acceptable in an area and the suitable level of contributions that developers need to make;

The Council opposes:

1. The Secretary of State's proposals for the Planning Inspectorate to have powers to override agreements between Councils and developers over the number of affordable housing units allocated to planning applications.
2. The Secretary of State's proposals for planning permission – currently required for extensions of more than three or four metres from the rear wall of any home – to only be needed for those reaching beyond 8m for detached homes and 6m for others
3. The Secretary of State's intention to override Section 106 of the Town and Country Planning Act of 1990 which will allow developers to immediately appeal to the Planning Inspectorate over the allocation of affordable housing units in any scheme they maybe concerned with.
4. The Secretary of State's proposals for the Planning Inspectorate to take planning powers away from local authorities which he deems to be slow or of making poor quality planning decisions in determining applications.

This Council notes that the current Coalition government did listen earlier in the year over concerns regarding the National Planning Policy Framework and revised its plans accordingly, so urges the Government to listen to the concerns being expressed by the cross-party LGA;

This council however welcomes other parts of the stimulus package including:

- a) £300 million to provide 15,000 affordable homes across the country
- b) An extension of the refurbishment programme to bring an extra 5,000 empty homes back into use
- c) £280m for FirstBuy, the shared equity scheme to give a further 16,500 first time buyers the chance to own their own homes
- d) Up to £10bn of guarantees to housing associations, property management companies and developers which will be able to use the guarantees to secure lower borrowing costs. This will lead to hundreds of thousands of extra rental homes being built.

This council also notes:

- A. The record of the previous Labour government on providing affordable social housing – and that during their 13 years in power, the social housing stock fell by another 420,000 houses, as Labour continually failed to build more homes than they were selling off. In the meantime, social housing waiting list soared to almost 1.8 million, a rise of 741,000 families.
- B. The record of previous Conservative Governments where 1.1 million social homes were lost from the stock during the 18 years of Tory rule up to 1997, through a combination of Right to Buy sales and a failure to invest in replacements. When the Major government left office more than 1 million families were on social housing waiting lists.

This council resolves to formally write to the Secretary of State for Communities and Local Government, outlining this council's opposition to the plans.

## **7b Councillors Price and Ashton**

## This Council

1. Supports the continued building of additional Council affordable housing, with the aim of building at least 650 additional homes by 2020.
2. Requests officers to report on all sites in the Council's current programme proposing redevelopment of existing housing to Community Services Scrutiny Committee for a full member review.
3. Requests the Committee to carry out a scrutiny review of present processes and procedures:
  - (a) To recommend radical consultation improvements to ensure that there is proper and meaningful consultation, in line with the Council's agreed Code of Practice on Consultation with residents, before any further sites are approved for redevelopment;
  - (b) To ensure processes take into account the fact that many of the residents at these locations are vulnerable and/or elderly and need support, in consultation with Independent Living, County Council Social Services and the mental health team at the Cambridgeshire and Peterborough NHS Foundation Trust; and
  - (c) To instigate a fresh land review to identify further deliverable sites for new housing, including land that can potentially be obtained from wider Council or other public or housing association land holdings in Cambridge.
4. As part of this review, to hold a city wide review meeting with wider support organisations, and tenant representatives from each significant review site, and representatives of the County Council and NHS Foundation Trust and undertake and publish a full and effective Equalities Impact Assessment (EQIA).

## **7c Councillor Owers**

The Council is deeply concerned at the recent Royal Mail announcement that it is considering the closure of Cambridge mail sorting office on Clifton Road which

- Is likely to reduce service quality for Cambridge residents including reduced late posting times and the loss of the 7.30pm last post
- Threatens 200 skilled blue-collar jobs in the city
- Will add unnecessary increased lorry congestion on the A14 and increased carbon emissions, including local Cambridge post that will have to be transported all the way to Peterborough and back every day
- Could remove the Cambridge post-mark for non pre-franked mail.

The Council is opposed to the proposed closure, opposes the inevitable erosion in service to the public from relocation, at a time also of enforced rises in postage costs, and opposes the negative environmental impact of the proposal.

The Council resolves to write to Royal Mail expressing these views and calls on Royal Mail to retain the sorting office in Cambridge.

## **7d Councillors Benstead and Herbert**

The Council supports the opportunity of city centre businesses to make a clear choice one way or other on a Business Improvement District (BID).

The Council notes that it holds a power, in limited circumstances, to veto the Business Improvement District (BID) proposals, on which businesses within the BID area are being balloted. Depending on the outcome of the ballot, the Council asks officers, immediately after

the conclusion of the ballot:

- To prepare a report setting out the circumstances that might justify a veto
- To send the report to the Leader and to the Chair and Spokes of Strategy and Resources Scrutiny Committee, so their comments may inform the Leader's decision on whether or not to use the veto power.

The Council also requests a report by officers to the next meeting of the Committee on options for working with the County Council to improve city centre policy making and service deliver. This needs to include improved engagement of residents as well as business representatives, the University and wider parties, and recognise that all Cambridge residents have an interest in, and the right to a say, in the effective running of the City Centre.

## **7e Councillors Cantrill and Reiner**

Council notes:

- A living wage was first established in the UK in 2001
- Currently the living wage rate is £7.20p per hour outside London (the "Living Wage"), calculated using incomes and prices data on a system developed and maintained by the Centre for Research and Social Policy at Loughborough University
- According to charity Barnardo's over 58% of children who live in poverty in the UK have at least one parent in paid work
- The Living Wage Foundation estimates over 10,000 families have been helped out of working poverty across the UK as a result of the living wage
- Recent tax changes put in place by the Liberal Democrats as part of the Coalition Government that provided a tax cut of £220 per year for low paid individuals has lifted many of the

low paid out of the tax threshold

- That key components of the cost of living (food and utilities) continue to being challenging for residents of the city
- The Living Wage Week during 4<sup>th</sup> – 10<sup>th</sup> November 2012 will actively promote the living wage across the UK

Council believes:

- The national minimum wage was an important development to ensure a basic level of income for the lowest paid
- However, given the cost of living in Cambridge the minimum wage is not enough for an individual or a family to avoid living in poverty with all the ill effects that has
- A living wage is considered the minimum wage needed to provide 'adequate income' to ensure social inclusion for an individual or their family
- As one of the City's biggest employers, the City Council can help promote the living wage in Cambridge by becoming a 'living wage employer'
- That the procurement strategy of the City Council can influence and encourage our partners in service delivery to uphold the same approach as ours

Council requests that the Executive Councillor for Customer Services & Resources:

- Bring forward proposals that:
  - Ensure all employees receive at least the Living Wage as soon as practicable and by no later than April 2013; and
  - Explore agency staff receiving the Living Wage as part of the Budget process for 2013/2014; and
  - Explore changing the Council's procurement processes to encourage contractors to adopt a similar position and as



legislation permits insist that contractors meet the living wage obligation

- Writes to the MPs in Cambridge seeking their support and asking them to campaign for the living wage in the City

## **8 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**

**Location** The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

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Most meetings have an opportunity for members of the public to ask questions or make statements.

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- For questions and/or statements regarding items on the published agenda, the deadline is the start of the meeting.
- For questions and/or statements regarding items NOT on the published agenda, the deadline is 10 a.m. the day before the meeting.

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and  
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**COUNCIL**

19 July 2012  
6.00 - 11.39 pm

**Present:** Councillors Stuart (Chair), Saunders (Vice-Chair), Abbott, Ashton, Benstead, Bick, Birtles, Blackhurst, Blencowe, Boyce, Brierley, Brown, Cantrill, Dryden, Gawthrop, Hart, Herbert, Johnson, Kerr, Kightley, Marchant-Daisley, McPherson, Meftah, Moghadas, O'Reilly, Owers, Pippas, Pitt, Price, Reid, Reiner, Rosenstiel, Saunders, Smart, Smith, Stuart, Swanson, Todd-Jones, Tucker, Tunnacliffe and Ward

**FOR THE INFORMATION OF THE COUNCIL**

The Mayor opened the meeting with a minute's silence in memory of the late Margaret Wright, who served as an Abbey Ward Councillor between 2008 and 2012.

Members spoke in tribute to Margaret Wright.

The Leader of the Council confirmed that a members' panel, made up of one member from each party, would be established to agree a fitting memorial. Consultation would be undertaken with all members, key officers and Margaret Wright's family.

**12/41/CNL To approve as a correct record the minutes of the Extra-Ordinary Meeting and the Annual Meeting held on 24 May 2012**

The minutes of the Extra-Ordinary meeting held on 24 May 2012 were confirmed as a correct record and signed by the Mayor.

With minor amendments to minute items 12/21/CNL, 12/22/CNL and 12/31/CNL (see attached at appendix 1) the minutes of the Annual Meeting held on 24 May 2012 were confirmed as a correct record and signed by the Mayor.

**12/42/CNL Mayors Announcements**

**1. Apologies**

Apologies were received from Councillors Bird, Hipkin and Pogonowski.

## 2. Cambridge/Heidelberg/Montpellier Youth Orchestra

The Mayor confirmed that the 50<sup>th</sup> anniversary of the Cambridge/Heidelberg/Montpellier Youth Orchestra would be celebrated in Heidelberg over the weekend of 3/5 August 2012.

## 3. Mayor's Day Out

The Mayor confirmed that the Mayor's Day Out to Great Yarmouth would take place on Monday 10<sup>th</sup> September 2012. Any Councillor wishing to steward a coach should contact the Arts and Entertainments team as soon as possible.

## 4. Cambridge Open Weekend

The Mayor confirmed that the City Council had again joined with the University of Cambridge to participate in the Open Cambridge weekend. The Council Chamber and civic suite would be open to the public on Friday 7<sup>th</sup> and Saturday 8<sup>th</sup> September 2012 with a timed talk about the civic insignia on both dates.

## 5. Harvest Festival Civic Service

The Mayor confirmed that the Harvest Festival Civic Service would take place on Sunday 21st October at 9.30 a.m. at Great St. Mary's Church.

## 6. Fund raising event for the Cambridge Women's Resource Centre.

The Mayor confirmed that she would be hosting a fund raising event for the Cambridge Women's Resource Centre at the Guildhall on Wednesday 17 October 2012.

## 7. Declarations of Interest

Councillor	Item	Interest
Johnson	12/44c/CNL	Personal: Employed by the University
Smith	12/44c/CNL	Personal: Employed by the University
Blackhurst	12/44c/CNL	Personal: Employed by the University
Todd-Jones	12/44c/CNL	Personal: Employed by the University
Reiner	12/44c/CNL	Personal: Partner employed by the University
Owers	12/44c/CNL	Personal: Student of the University

Reid	12/47a/CNL	Personal: Member of an Advisory Board that looks at sustainable housing
Rosenstiel	12/47d/CNL	Personal: Member of CAMRA
Brown	12/47d/CNL	Personal: Member of CAMRA

### **12/43/CNL Public Questions Time**

No questions were received.

### **12/44/CNL To consider recommendations of the Executive for Adoption**

#### Annual Treasury Management report 2011/12 (The Leader)

**Resolved** (by 21 votes to 0) to:

- i. Approve the Annual Treasury Management Report 2011/12, which included reporting of the Council's actual Prudential and Treasury Indicators for 2011/12.

#### 2011/12 Revenue and Capital Outturn, Carry Forwards and Significant Variances - General Fund - Overview - (The Leader)

**Resolved** (by 21 votes to 0) to:

- i. Agree carry forward requests, totalling £632,970, as detailed in Appendix C of the officer's report, subject to the final outturn position.

*Note: Appendix C of the officer's report contained an item for £16,000 - Food and Occupational Safety - which was incorrectly listed in the Environmental & Waste Services portfolio. Therefore this carry forward will be transferred to Community Development & Health budgets for 2012/13.*

- II. Carry forward (net) capital resources to fund re-phased capital spending of £8,872,000 as shown in Appendix D of the officer's report - Overview.

North West Cambridge Development - Management Strategy for Open Spaces, Sports and Community Facilities (The Leader)

**Resolved** (by 21 votes to 0) to:

- I. Approve a budget allocation for the proposed Joint Management Vehicle of up to £100k from 2027 onwards and that this be included in the Council's Medium Term Strategy.

**12/45/CNL To consider recommendations of Committees for Adoption**

**Joint Meeting of Civic Affairs and Standards Committee - 27 June 2012**

The Head of Legal Services introduced the item and responded to member's questions.

**Notification and Declaration of Members Interests**

**Resolved** (unanimously):

- i. That, pending the appointment of an "Independent Person", the Monitoring Officer is authorised to determine applications for dispensations to speak and or vote from members with declarable pecuniary or other Code of Conduct interests, subject to the Monitoring Officer first consulting the Chair and Opposition spokesperson for Civic Affairs.
- ii. That the Monitoring Officer shall consult the Independent Person, when appointed, before determining applications for dispensations, as well as the Chair and Opposition Spokesperson for Civic Affairs (or appropriate alternative councillor if either is directly affected).
- iii. That the Monitoring Officer is authorised to deal with applications for dispensations at short notice, where it is not practical to consult the Independent Person, Chair or Opposition Spokesperson subject to the decision being reported to members of Civic Affairs Committee thereafter.
- iv. That the Civic Affairs Committee keeps this arrangement under review.



### Adoption of a new Code of Conduct for Members

**Resolved** (by 28 votes to 0) to:

- i. Adopt the Code of Conduct set out in Appendix 1 of the report to Civic Affairs Committee on 27 June 2012.

### Appointment of an Independent Person

**Resolved** (unanimously) to:

- i. Appoint one Independent Person and one deputy, and that the appointment process is advertised in the press, as well as on the Council's website.
- ii. Agree that the Independent Person is paid an annual allowance of £1,000 and that the Deputy is paid an annual allowance of £500.
- iii. Agree that the appointments are made for a three year term but with appointments subject to annual ratification at the Annual Meeting of the Council.
- iv. Agree the selection criteria and role description annexed to the report to Civic Affairs Committee on 27 June 2012.
- v. Agree that a member panel is appointed to recommend appointments to the Council.
- vi. Agree that the Monitoring Officer is authorised to take such reasonable steps as he considers necessary to implement these recommendations.

### Considering Complaints and Governance

Councillor Boyce proposed the following amendment to recommendation iv. of the officer's report:

- iv. Agree that the Civic Affairs Committee is invited to appoint Standards Sub-Committees (2 LD + 2Lab) to consider complaints (as outlined in Appendix 2 of the officer's report), ~~with all members of Civic Affairs Committee authorised to be members.~~

On a show of hands this was approved unanimously.

**Resolved** (unanimously) to:

- i. Agree that a direct replacement for the Standards Committee is not appointed and that the Civic Affairs Committee is made responsible for promoting high standards of conduct by members and officers, for overseeing the procedure for considering complaints against councillors, and for any other aspect of promoting or regulating standards in local government that do not fall within the remit of the Executive or another regulatory committee.
- ii. Agree that the Council amends the terms of reference for the Civic Affairs Committee as set out in Appendix 1 of the officer's report to Civic Affairs Committee on 27 June 2012, and that references to the Standards Committee are deleted.
- iii. Agree that the procedure for considering complaints against councillors set out in Appendix 2 of the officer's report is adopted as amended.
- iv. Agree that the Civic Affairs Committee is invited to appoint Standards Sub-Committees (2 LD + 2Lab) to consider complaints (as outlined in Appendix 2 of the officer's report).
- v. Agree that the arrangements proposed are reviewed by the Civic Affairs Committee in 12 months' time.
- vi. Thank the external members of the Standards Committee for their contribution to the work of the Council in promoting and maintaining ethical standards.

**Civic Affairs Committee - 27 June 2012****Code of Corporate Governance 2012****Resolved** (unanimously) to:

- i. Approve the Code of Corporate Governance set out at pages 175 to 195 of the Council agenda

**12/46/CNL To deal with Oral Questions****1. Councillor Moghadas to the Executive Councillor for Arts, Sport and Public Places**

**Having made a big media splash on 13<sup>th</sup> July, Cambridge Evening News, what assurances can the Executive Councillor provide to the future funding and timescale of the Romsey Beach Resort?**

The Executive Councillor responded that the City Council encouraged project ideas from the local community and was committed to helping progress these projects where possible. It was noted that the idea of a Romsey Beach Resort had been put forward by a local resident and was a genuinely inspiring project idea. However issues such as land ownership, health and safety concerns and the location of the wildlife site meant it was a complex issue.

The Executive Councillor stated that, whilst the project was in the early stages of development, he hoped that in the future residents would be enjoying a facility such as this.

**2. Councillor Pitt to the Executive Councillor for Planning and Climate Change**

**Does the Executive Councillor join me in welcoming the recent announcement from the Government that they are to simplify the introduction of 20mph limits in urban areas?**

The Executive Councillor responded that new government guidance released in July 2012 would assist the Council to regulate 20mph zones in the City. The guidance offered more options to local authorities and greater scope to control costs.

**3. Councillor Blackhurst to the Executive Councillor for Arts, Sport and Public Places**

**Could the Executive Councillor provide the Council with an update on developer contribution projects in the southern part of the city?**

The Executive Councillor confirmed that it was the strategy of the Council to provide developer contribution projects across all 14 wards within the city. It was noted that projects in the south of the City had included improvements to Nightingale Recreation Ground and Cherry Hinton Hall. Current projects

included improved changing facilities at Cherry Hinton Village Hall at a cost of £65,000, and the Trumpington 'Electronic Play' scheme at a cost of £35,000.

#### **4. Councillor Hart to the Executive Councillor for Housing**

**Can the Executive Councillor for Housing please state what was the annual budget for fencing repairs in Abbey and citywide last year and this year?**

The Executive Councillor responded that the City wide budget for last year was £196,403, of which the value of fencing spent in Abbey Ward was £46,093.23. However, maintenance and investment budgets were not normally prepared on a ward basis.

It was noted that the City wide budget for 2012-13 was £54,000.

The Executive Councillor confirmed that the Housing Asset Management Team were currently examining the possibility of front loading the current year fencing programme by bringing forward future years programmes so as to reflect increased levels of repairs identified by expanding the scope of survey work undertaken prior to cyclical redecoration. It was noted that fencing did not form part of Decent Homes work and was therefore not captured by HHSRS (Decent Homes) surveys.

#### **5. Councillor Herbert to the Executive Councillor for Planning and Climate Change**

**Which Executive Councillor(s) made the decision on the planned apportionment of affordable housing on the University-led NW Cambridge development, and on what date and how was the decision taken and reported to Councillors, and what were the detailed proposed %s to be allocated to people in different categories of housing need ahead of any planning application?**

The Executive Councillor confirmed that as part of the pre-application process a number of briefings had taken place. These had included housing specific sessions on both 8 October 2010 and 21 December 2010.

It was noted that, whilst no formal sign-off was required by an Executive Councillor, consultation had been undertaken at the time with the Executive Councillor for Climate Change and Growth and the Executive Councillor for Housing.

The Executive Councillor confirmed that the 50% allocation had been recommended by an independent consultant, and formally agreed through the Environment Scrutiny Committee in 2009.

## **6. Councillor Benstead to the Executive Councillor for Housing**

**Does the Executive Councillor agree that it is important to foster community spirit on the estates, which the council has responsibility for?**

The Executive Councillor responded that Community Development Officers worked in Council owned estates in liaison with Housing Officers.

Examples of this work included:

- Hanover and Princes Court in Trumpington: work with residents to improve the area and bring people together including planting schemes, jubilee events and discussions about whether a small community facility could be delivered.
- Thorpe Way area in Abbey and Nuns Way area in Kings Hedges: ChYpPS activities for local young people.

## **7. Councillor Kerr to the Executive Councillor for Community Development and Health**

**What progress have officers made in investigating ways for the Council to enable more people in Cambridge to access credit unions?**

The Executive Councillor responded that, alongside Officers, he had met with the two Credit Unions operating in the City - Rainbow Saver Anglia Credit Union (operating primarily in Cherry Hinton as Cambridge Rainbow Savers) and Cambridge Credit Union (operating primarily in the north of the City from City Homes North Office). It was noted that both Credit Unions expressed a desire to raise their profiles and make their services more accessible to Cambridge residents, and both had suggested ways that the Council could assist them. The Credit Unions had also expressed the willingness to work together so that resources could be shared where possible.

It was noted that Officers were currently preparing a proposal for discussion with members of all parties and the Credit Unions. This was likely to include things such as:

- Help with promoting their services
- Promotion of their services to staff and members
- Help to encourage volunteers to come forward
- Help with finding locations for them to operate
- Considering whether the Customer Service Centre and City Homes South are suitable locations

The Executive Councillor confirmed that the Head of Community Development was hoping to bring a detailed report to Community Services Scrutiny Committee in January setting out any formal proposals for approval.

#### **8. Councillor Kightley to the Executive Councillor for Arts, Sport and Public Places**

**Does the Executive Councillor believe that the Olympic Torch Relay was a success for Cambridge?**

The Executive Councillor responded that the Olympic Torch Relay event had been a great success for Cambridge. It had been the largest outdoor event ever held in the City with an attendance of over 120,000, with no major incidents or arrests recorded. The event had been voted one of the top 3 relay events in the country by LOCOG and cost less than £1 for every person that had attended. The Executive Councillor confirmed that the cost would be covered equally between the City Council and the County Council.

#### **9. Councillor Dryden to the Executive Councillor for Arts, Sport and Public Places**

**Could you please give us the reasons why the Cherry Hinton members of the City Council were not consulted this year concerning the new arrangements with the Folk Festival when you publicly stated you had strong political backing?**

The Executive Councillor confirmed that the City Council were committed to enhancing and promoting the Folk Festival for both local residents and those from outside the area.

It was noted that the Executive Councillor had not issued a public statement regarding this year's event, but had simply responded to a request for a comment from the Cambridge Evening News.

The Executive Councillor confirmed that sponsorship from both the Co-Op and BBC Television had been withdrawn for this year's event, and the only current media provider on offer was Sky Arts.

Whilst it was confirmed that Cherry Hinton Ward Councillors had been consulted on extending the closure of the park, it was acknowledged that further consultation could have been undertaken on some of the wider issues. The Executive Councillor confirmed that he had met with Ward Councillors on this issue and that further discussions would take place.

#### **10. Councillor Price to the Executive Councillor for Customer Services and Resources**

**In 2008 the Council used its enforcement powers to end commercial punting from its land on Jesus Green. Will it now use the same powers to prevent commercial punting from the slipway it now owns at Garrett Hostel Bridge?**

The Executive Councillor responded that whilst a decision had been taken by the Leader in 2008 to approve enforcement action at Jesus Green, ownership issues around Garret Hostel Lane had caused complications. However in February 2012 the Land Registry had recognised the City Council's property rights by registering its title.

In September 2011 the Cam Conservators had decided only to register commercial punts operating from authorised punt stations, and with the express permission of the riparian owners. Garret Hostel Lane was not an authorised punt station and commercial punts using it were in breach of the Conservators' byelaws. However this had failed to stop the use of Garret Hostel Lane and the punt trade had continued.

The Executive Councillor said that the City Council was taking legal advice with a view to asserting its property rights over the Garret Hostel Lane site and stopping the unauthorised use by punt operators.

The following Oral Questions were also tabled, but owing to the expiry of the period of time permitted, were not replied to during the meeting. The Mayor asked Executive Councillors to supply written responses to these questions:

### **11. Councillor McPherson to the Leader**

**I hope the Council will agree with me that road safety is of vital importance as much in our county and City as it is across the rest of the country.**

**Could I ask the Leader therefore if he will join with me in using his considerable influence at county level to ensure that the post of Casualty Reduction Officer for Cambridgeshire is not reassigned as a 'staff position' (that is 'civilianised') within Cambridgeshire Constabulary, as may well be the case at the next Police Authority meeting. The influence on young divers and riders especially is far greater when advised and instructed by a 'Warranted Police Officer' in this role than is likely from someone in a civilian capacity however competent, dedicated and able that person may be.**

### **12. Councillor Johnson to the Executive Councillor for Customer Services and Resources**

**Can the Executive Councillor for Customer Services and Resources explain why the proposed Cambridge Business Improvement District plan by Love Cambridge failed to properly consult with residents?**

The following response was provided outside of the meeting and has been requested for inclusion:

“Love Cambridge secured the funding for the BID proposal but is not itself developing the proposal, which is being led by a BID Development Manager and a taskforce. Some members of Love Cambridge are not part of the BID area, while the task force includes businesses that are outside Love Cambridge.

The taskforce has sought to consult widely with local businesses, as they would be liable for the business levy should the BID ballot lead to the creation of a BID. While some task force members have spoken to residents, they do not generally perceive a need to do so, precisely because as this is a business initiative, as the name implies, and residents will not pay the levy. However, to enhance transparency, I am happy to ask the BID taskforce to find a way of



sharing their plans with the public and getting feedback. In addition, I suggested at the last Strategy and Resources meeting that there should be an extraordinary S&R meeting to discuss the proposals when they are known.”

**13. Councillor Reiner to the Executive Councillor for Arts, Sport and Public Places**

**What is the Executive Councillor's view of the decision of the Heritage Lottery Fund not to support the Jesus Green bid?**

**14. Councillor Boyce to the Executive Councillor for Arts, Sport and Public Places**

**Could the Executive Councillor comment on the possibility of the City hosting the Tour de France?**

**15. Councillor Moghadas to the Executive Councillor for Arts, Sport and Public Places**

**As a third of the £129 000 spent on the Olympic Community Arts Project was Council funds, can the Executive Councillor explain why there was no secure storage provision for the giant puppets in Cambridge, resulting in them being stored in Brighton?**

**16. Councillor McPherson to the Leader**

**After the recent publication over last weekend of the fiasco that has befallen G4S in attempting to create a Security structure for the coming Olympic games: Can the Leader seek to reassure us that he will use all means at his disposal to halt the plans by the Chief Constable of Cambridge Constabulary to out-source many support posts and even front line posts such as dog section to G4S and recognise that although savings must be made this may not now be the most effective way of making them.**

**17. Councillor Herbert to the Executive Councillor for Customer Services and Resources**

**Will the Executive Councillor ensure that the River Cam, Parker's Piece, Christ's Pieces and all publicly owned spaces in the City Centre are deleted from the area of responsibility of the proposed Business Improvement District?**

The following response was provided outside of the meeting and has been requested for inclusion:

“Like Councillor Herbert and I, the BID development manager was present at the Strategy and Resources Committee where members made clear their concerns about the area covered, particularly the green open spaces and the River Cam.

For the avoidance of doubt, inclusion of a public space in a BID area would **not** privatise that space nor would it become the ‘responsibility’ of the BID. A BID can spend money to augment existing amenities, but it must not, according to the legislation introduced by the last Labour government, supplant the existing contribution of the local authority; nor would the governance of the public space change.

I did wonder whether in order to benefit from any enhancements the open spaces and river needed to be within the BID area. However, I have been informed that this is not the case and am therefore very happy to write to the BID manager to request that the river and the public open spaces be excluded from the BID. I do not, however, think that all publicly owned spaces should by definition be removed from the BID area, the aim of which, after all, is to improve an area and hence should be welcome.”

**12/47/CNL To consider the following Notices of Motion, notice of which has been given by:**

**12/47a/CNL Motion A**

Councillor Ward proposed and Councillor Reid seconded the following motion:

“This council agrees to sign up to the Local Government Association's Climate Local commitment as the successor to the Nottingham Declaration on Climate Change to which the council signed up in 2006:

Our commitment to taking action in a changing climate.

We recognise that our council has an important role to help our residents and businesses to capture the opportunities and benefits of action on climate change. These include saving money on energy bills, generating income from renewable energy, attracting new jobs and investment in 'green' industries,

supporting new sources of energy, managing local flood-risk and water scarcity and protecting our natural environment.

We will progressively address the risks and pursue the opportunities presented by a changing climate, in line with local priorities, through our role as:

- Community leader - helping local people and businesses to be smarter about their energy use and to prepare for climate impacts;
- Service provider - delivering services that are resource efficient, less carbon intensive, resilient and that protect those who are most vulnerable to climate impacts;
- Estate manager - ensuring that our own buildings and operations are resource efficient, use clean energy, and are well prepared for the impacts of a changing climate.

In signing this commitment, we will:

- Set locally-owned and determined commitments and actions to reduce carbon emissions and to manage climate impacts. These will be specific, measurable and challenging;
- Publish our commitments, actions and progress, enabling local communities to hold us to account;
- Share the learning from our experiences and achievements with other councils; and
- Regularly refresh our commitments and actions to ensure they are current and continue to reflect local priorities.”

**Resolved** (unanimously) that the motion be agreed as set out above.

### **12/47b/CNL Motion B**

Councillor Herbert proposed and Councillor Owers seconded the following motion:

“The Council considers that its decision-making processes need updating, along with wider aspects of its Constitution.

It therefore asks the Chief Executive to establish a Member Review Panel to conduct the review and report to Civic Affairs Committee, so improvements can be implemented then and at the next Council AGM, and that the Panel be asked to:

- identify issues needing review, including the Executive Councillor/Committee split
- investigate potential areas of agreement between the parties on the council
- review how the role and contribution of individual Councillors can be increased, and
- assess further improvements to public involvement including webcasting of key meetings.

On a show of hands the motion was lost by 18 votes to 21.

### **Duration of the meeting**

**Resolved** at 10.30pm under Council Procedure Rule 10.1 that the meeting not be adjourned.

### **12/47c/CNL      Motion C**

Councillor Marchant-Daisley proposed and Councillor Herbert seconded the following motion:

“The Council urges local residents, organisations and businesses to make full use of the last week of consultation on the Cambridge Local Plan 'Issues and Options report' to 2031. We want all sections of the community to have a voice in the Local Plan review and in shaping future decisions.

The Council recognizes that major challenges will be raised in responses to the city and South Cambridgeshire Local Plan consultations that require an overall plan for major developments in the Cambridge area including:

- to expand jobs and education and skills
- the building of badly needed additional market and affordable housing
- vital transport and wider improvements, and
- protecting the best features of our area and environment,

and that these major issues can only be effectively addressed by the City, South Cambridgeshire and the County Council implementing integrated planning consultation and decision making.

The Council asks the Leader to instigate urgent member and officer meetings with the two other councils to maximise integration and:

a) create one integrated, transparent and robust decision making process on the two Local Plan reviews, learning from other city region joint decision making like the Greater Norwich Development Partnerships

b) Ensure the same consultation timings for both the two reviews and transport strategy consultations

c) add an evidence base on combined Cambridge area projections on employment, housing and transport needs for 2020 and 2030, including to quantify unmet needs, and

d) investigate the potential to develop plans for a 'Cambridge City region' including a potential 'City Deal' bid to Government for extra powers and investment and infrastructure options.

Councillor Ward proposed and Councillor Kightley seconded the following amendment:

Delete from paragraph starting “and that these major issues ...” to end. Then insert at end:

“The Council further recognises that

- South Cambridgeshire District Council have stated that it is neither necessary nor practical to speed up their local plan review process sufficiently to match the City Council’s dates
- To delay the City Council’s local plan review process to match South Cambridgeshire District Council’s dates would run the risk of opening up a policy vacuum which could be exploited by developers to promote inappropriate development in and around Cambridge.

The Council endorses the objective of achieving alongside South Cambridgeshire District Council two complementary local plans which make sense whether taken separately or together, supported by a consistent transport strategy enabled by Cambridgeshire County Council, but it fails to see why this can only be achieved by surrendering local decision-making upwards. It notes the machinery already established through which the City

Council, along with other authorities, will seek to discharge their legal duty to co-operate:

- The County Council is preparing its Transport Strategy on a trajectory to match with the two Districts' plans and is consulting on transport planning alongside the districts' local plan Issues and Options consultations (there was no comparable transport strategy underpinning the 2006 Local Plan).
- The City Council, the County Council and South Cambridgeshire District Council have set up a Cambridge City Council, South Cambridgeshire District Council and Cambridgeshire County Council Strategic Transport and Spatial Planning Group to co-ordinate planning activities in the Cambridge area, and this body has committed to a shared process and consultation on the "broad locations for development" around Cambridge. The current issues and options consultation will be followed by a joint 'fringe sites' consultation before Christmas.
- The County Council along with all the districts and Peterborough City Council have agreed and contributed to the setting up of the Cambridgeshire Joint Planning unit and set up a Strategic Planning & Transport Joint Member Group to co-ordinate evidence preparation and strategic planning across the county.
- Officers of the councils are working closely together to support this joined-up plan making process. Key parts of the evidence base have been jointly commissioned (e.g. the infrastructure study and the Employment Land review) and there is significant day to day working going on.

The Council further notes and endorses the work already under way in conjunction with our partner authorities to investigate the potential for the Cambridge City Region to attract devolved powers from central government to facilitate its contribution to national economic growth in the manner of the recent "city deals" with the 8 core cities.

The Council asks the Executive to

- (a) Ensure that officers and members continue to work closely with partner councils to deliver as joined-up a spatial and transport planning process as is practical.
- (b) Continue work on the City Deal concept and if it appears to add value to our objectives within the area, to bring forward a bid to central government."

On a show of hands the amendment was carried by 21 votes to 18.

**Resolved** (by 21 votes to 0) that:

The Council urges local residents, organisations and businesses to make full use of the last week of consultation on the Cambridge Local Plan 'Issues and Options report' to 2031. We want all sections of the community to have a voice in the Local Plan review and in shaping future decisions.

The Council recognizes that major challenges will be raised in responses to the city and South Cambridgeshire Local Plan consultations that require an overall plan for major developments in the Cambridge area including:

- to expand jobs and education and skills
- the building of badly needed additional market and affordable housing
- vital transport and wider improvements, and
- protecting the best features of our area and environment,

The Council further recognises that

- South Cambridgeshire District Council have stated that it is neither necessary nor practical to speed up their local plan review process sufficiently to match the City Council's dates
- To delay the City Council's local plan review process to match South Cambridgeshire District Council's dates would run the risk of opening up a policy vacuum which could be exploited by developers to promote inappropriate development in and around Cambridge.

The Council endorses the objective of achieving alongside South Cambridgeshire District Council two complementary local plans which make sense whether taken separately or together, supported by a consistent transport strategy enabled by Cambridgeshire County Council, but it fails to see why this can only be achieved by surrendering local decision-making upwards. It notes the machinery already established through which the City Council, along with other authorities, will seek to discharge their legal duty to co-operate:

- The County Council is preparing its Transport Strategy on a trajectory to match with the two Districts' plans and is consulting on transport planning alongside the districts' local plan Issues and Options consultations (there was no comparable transport strategy underpinning the 2006 Local Plan).
- The City Council, the County Council and South Cambridgeshire District Council have set up a Cambridge City Council, South Cambridgeshire District Council and Cambridgeshire County Council Strategic Transport

and Spatial Planning Group to co-ordinate planning activities in the Cambridge area, and this body has committed to a shared process and consultation on the "broad locations for development" around Cambridge. The current issues and options consultation will be followed by a joint 'fringe sites' consultation before Christmas.

- The County Council along with all the districts and Peterborough City Council have agreed and contributed to the setting up of the Cambridgeshire Joint Planning unit and set up a Strategic Planning & Transport Joint Member Group to co-ordinate evidence preparation and strategic planning across the county.
- Officers of the councils are working closely together to support this joined-up plan making process. Key parts of the evidence base have been jointly commissioned (e.g. the infrastructure study and the Employment Land review) and there is significant day to day working going on.

The Council further notes and endorses the work already under way in conjunction with our partner authorities to investigate the potential for the Cambridge City Region to attract devolved powers from central government to facilitate its contribution to national economic growth in the manner of the recent "city deals" with the 8 core cities.

The Council asks the Executive to

- (c) Ensure that officers and members continue to work closely with partner councils to deliver as joined-up a spatial and transport planning process as is practical.
- (d) Continue work on the City Deal concept and if it appears to add value to our objectives within the area, to bring forward a bid to central government.

## **12/47d/CNL      Motion D**

Councillor Rosenstiel proposed and Councillor Brown seconded the following motion:

"This council recognises the valuable role that pubs play in their communities and is alarmed by the number that have been closed down, used for other purposes or demolished in recent years. Council also notes that communities are most successful when they contain a healthy mix of shops, including those that are independently run.



This council therefore congratulates Julian Huppert MP on proposing a 10 Minute Rule Bill which would defend against change of use or demolition of local pubs or independent shops without planning permission. It further notes that this would complement the powers currently being consulted on by the council for protection of pubs by means of Interim Planning Policy Guidance.

This Council calls on the Leader to write to Andrew Lansley MP, as the city's other representative in Parliament, requesting that he support the Bill on second reading on Friday 26 October and to encourage other MPs to do likewise."

**Resolved** (by 21 votes to 0) that the motion be agreed as set out above.

### **12/48/CNL Written Questions**

Members noted that written questions and answers as circulated around the Chamber.

### **12/49/CNL Special Urgency Decision**

**Resolved** that:

- i. The Special Urgency decision be noted.

The meeting ended at 11.39 pm

**CHAIR**

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<p style="text-align: center;"><b>RECOMMENDATION TO COUNCIL</b> <b>(Executive Councillor for Planning and Climate Change – Councillor Ward)</b></p>
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## **Appointment to Cam Conservators**

The three-year terms of office for the seven Conservators of the River Cam appointed by the City Council end on 31 December 2012.

Following an open application process over the summer, the Environment Scrutiny Committee on 9<sup>th</sup> October 2012 recommended to the Executive Councillor four members of the public to be put forward as City Council appointments to the Conservators of the River Cam commencing 1 January 2013.

In addition, the Executive Councillor agreed to put forward three city councillor nominations.

### **Accordingly, Council is recommended to:**

Appoint Councillors Price, Reiner and Ward as Conservators of the River Cam commencing 1 January 2013

Appoint Anthony Brown, James Macnaghten, Malcolm Schofield and Amy-Alys Tillson as Conservators of the River Cam commencing 1 January 2013.

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To: Executive Councillor for Planning and Climate Change:  
Councillor Tim Ward  
Report by: Democratic Services Manager  
Relevant scrutiny committee: Environment Scrutiny Committee 9/10/12  
Wards affected: All Wards

## **COUNCIL APPOINTMENTS TO THE CONSERVATORS OF THE RIVER CAM**

### **Not a Key Decision**

#### **1. Executive summary**

1.1 The terms of office for the seven Conservators of the River Cam appointed by the City Council end on 31 December 2012.

1.2 At the Environment Scrutiny Committee on 26 June a new process for making these appointments was agreed. This report updates on progress and highlights the next steps to making these appointments.

#### **2. Recommendations**

The Scrutiny Committee is recommended:

- i. To consider the Appointment Panel's recommendation that applicants 1, 2, 3 and 4 (see appendix A) are recommended to the Executive Councillor as the four non-councillor City Council appointments to the Conservators of the River Cam commencing 1 January 2013.

The Executive Councillor is recommended:

- ii. To recommend to Council on 25 October 2012 the appointment of four members of the public along with three City Councillor appointments, to the Conservators of the River Cam commencing 1 January 2013
- iii. To write, on behalf of the Council to those Conservators whose term will end thanking them for their valuable contribution.

### **3. Background**

3.1 At the Environment Scrutiny Committee on 26 June 2012 the Executive Councillor agreed the following:

- i. To instruct officers to arrange an open and public process for seeking applications for some of the City Council appointments to the Conservators of the River Cam.
- ii. That the composition of the seven appointees be three city councillors and four members of the public.
- iii. That criteria be applied to the application process.
- iv. That Council appointees be required to sign up to the Council's Code of Conduct
- v. That the maximum term of office would be normally 3 x three-year terms with thereafter a break period of three years before a re-application can be made. This rule should apply retrospectively.
- vi. That a four-member panel would consider the applications and make recommendations to the Environment Scrutiny Committee at its meeting on 9 October 2012. It was agreed that the Scrutiny Committee would not be bound by the recommendations.

3.2 As part of the new appointment process agreed in June, officers in Democratic Services worked with the River Manager at the Conservancy and local Ward Councillors to compile a list of people and organisations with an interest in, and/or knowledge of the river and its use. Information regarding the changes to the appointment process was then circulated to these interested parties. An advert was published on the City Council website, displayed in local Community Centres and placed on Conservancy notice boards and prominent positions along the River Cam.

3.3 Applications were invited over a 4-week period running from Monday 16<sup>th</sup> July until Friday 10<sup>th</sup> August and in total 25 applications were received. The 'skills, abilities, knowledge and experience section of each of the applications can be found at appendix A. As explained in the June report and in the application form sent out and read by applicants, the personal information on applicants will not be published. If the Scrutiny Committee wishes to discuss the specifics about individual applications it should do so in closed session as agreed at the June Scrutiny Committee meeting.

#### **Recommended applicants**

3.4 An Appointment Panel consisting of Councillors Johnson, Owers, Reiner and Saunders met on Thursday 30<sup>th</sup> August. The Panel assessed the 25 applications based on the agreed criteria:

- i. An interest in, and/or evidenced knowledge of, some aspect of river use.
- ii. Not a Councillor or officer of Cambridge City Council, Cambridgeshire County Council, other District or Parish Councils in Cambridgeshire. Not a relative or close friend of any current elected member or officer of the Council.
- iii. Live or work in the City of Cambridge.
- iv. Commitment to serve the community, attend meetings and a willingness to take required training and to offer requisite time to perform the duties to the satisfaction of the City Council.
- v. Willingness to sign up to a Code of Conduct applicable to members of the public made Council appointees.
- vi. Must declare any party political membership on the application form.
- vii. Will have disclosed to the Council during the application process any matter in his/her background, which, if it became public, might cause the council to reconsider the appointment.
- viii. Committed to a three-year term of office.

3.5 The Executive Councillor attended this meeting but did not take part in deciding who to recommend. The Appointment Panel all agreed on the four applicants recommended.

3.6 As stated in the June report, applicants have not been invited to address the scrutiny committee or Council about any application (including under the Council's public speaking scheme) as the selection process has been based purely on written applications.

3.7 Regarding the three city councillor appointments, two Liberal Democrat nominations (Ward and Reiner) have so far been received.

#### **4. Implications**

- (a) **Financial Implications** – there are none.
- (b) **Staffing Implications** - there are none.
- (c) **Equal Opportunities Implications**

No Equality Impact Assessment has been undertaken as part of this review. Councillors will make appointments to the Conservators based on a new process, which is more open and transparent and invites a greater diversity of application. It also takes into account the Council's Vision Statement where citizens feel they can influence public decision-making.

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

As part of this section, assign a climate change rating to your recommendation(s) or proposals. You should rate the impact as either:

Nil: to indicate that the proposal has no climate change impact. [Although by its nature, the work of the Conservators is focussed on environmental factors].

(e) **Consultation** – no implications

(f) **Community Safety** – no implications

### **5. Background papers**

These background papers were used in the preparation of this report:  
Previous report to the Environment Scrutiny Committee – 26.06.12  
Minutes of the Environment Scrutiny Committee – 26.06.12

### **6. Appendices**

Appendix A: Application forms received ('skills, abilities, knowledge and experience' section only)

### **7. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Glenn Burgess  
Author's Phone Number: 01223 457169  
Author's Email: [Glenn.burgess@cambridge.gov.uk](mailto:Glenn.burgess@cambridge.gov.uk)



**Application for appointment as a Conservator of the River Cam**

My wife and I are riparian landowners. We have lived in our present house which is beside the Green Dragon Bridge since 1989. We therefore live in very close proximity to the river – sometimes, indeed, even too close for comfort!

We own a narrow-boat, “Stourbridge”, which we have kept moored at the end of our garden in Chesterton since it was built for us in 1990. We spend a lot of time on our boat (approximately ten weeks a year). Consequently, I know many people on the river or connected with it, and have built up a detailed knowledge of the river over the past 22 years having the practical experience of living beside it and boating on it.

I have been boating in one way or another for the last 50 years, including nearly 40 years of offshore sailing experience.

I have been a Conservator since 1<sup>st</sup> January 2007 (paragraph 4.2 of the Scrutiny Committee is inaccurate in that respect), and am thus in my sixth year in post. Before my appointment, I regularly attended meetings of the Conservators. I have served on numbers of sub-committees of the Conservators, including the Finance Sub-committee, the Business Plan Sub-committee and the Licensing Sub-committee.

I am a retired solicitor, and have used my legal knowledge and skills to assist the Conservators. I was part of the team which renegotiated the Interchange Agreement with the Environment Agency after the latter gave notice to terminate the old agreement last year. I drafted the new agreement in conjunction with the in-house lawyer at the Agency. On several occasions on which the Conservators have needed to obtain advice from Counsel, I have assisted in obtaining direct access to a barrister, thus avoiding the need to instruct solicitors. I have taken a leading part in the Conservators’ defence of the judicial review proceedings which were recently brought against them.

Until shortly before I retired, I was joint managing partner of a sizeable firm of solicitors in the City of London, and so have management and business experience.

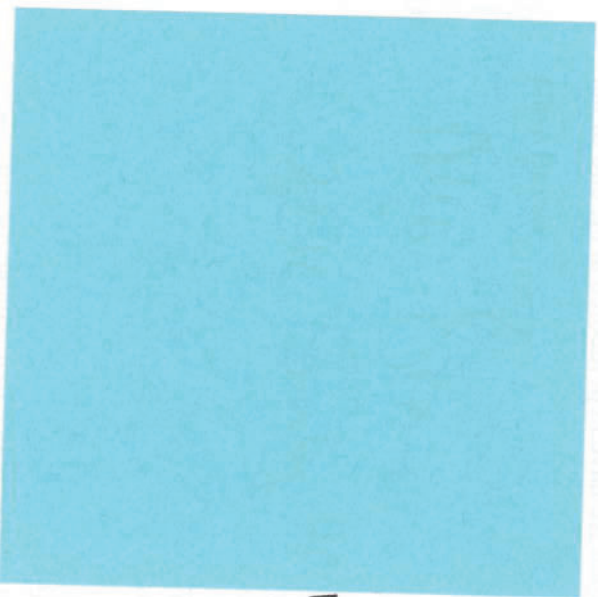
I have a commitment to the local community. I am chairman of the Old Chesterton Residents’ Association, a member of the committee of the Friends of Stourbridge Common (which I helped to found), and a member of the committee of Chesterton Community Association. I am Treasurer of the Friends of Fulbourn Hospital, and a member of the PCC of Little St Mary’s Church.

I have a passionate interest in and commitment to the river. I am a proponent of a strategic review (similar to the Bedford Waterspace Study) which will enable us to formulate a holistic vision for the river corridor, and to enable integrated planning and management of the river and its surrounds.

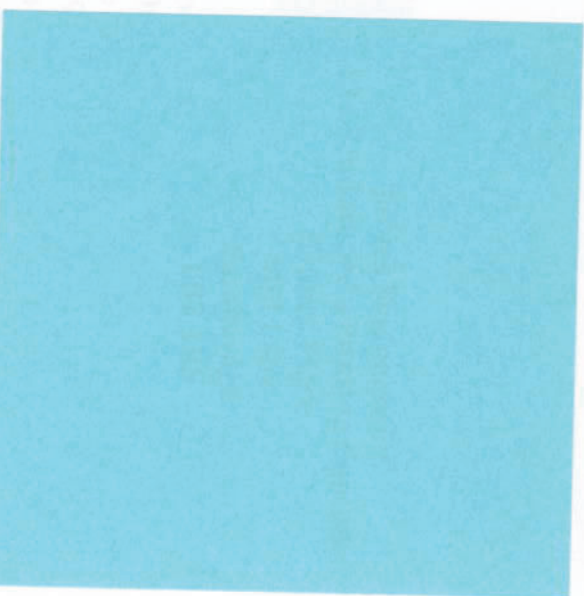
While I may be seen as coming from a particular constituency of river user, I have never regarded my role as Conservator as being to represent any particular interest group. I believe that the job of a Conservator is to enable the Conservancy to carry out its functions as navigation authority in a way which is fair to all river users, and

also to carry on the Conservancy's business in an efficient and financially sustainable manner. On the other hand, I do have an insight into matters which affect the owners of powered craft on the river. For numbers of years (recently, in conjunction with Pip Noon), I have given a presentation to novice university coxes about the river, particularly with regard to powered vessels.

I am not currently the member of any political party.



12



25<sup>th</sup> July 2012

Dear Cambridge City Council,

I would like to apply for the position of Conservator of the River Cam that has recently been advertised.

I have a strong interest in the Cam Conservancy and have attended the majority of their meetings over the last 20 years. I am passionate about the river having spent most of my adult life either working or rowing on the river. I would be very keen to contribute to the management of the river and have a wide range of knowledge and experience that I believe would help. This includes:

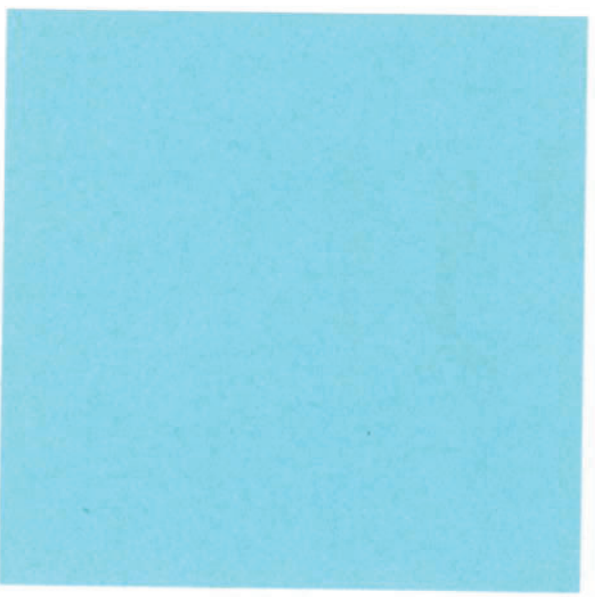
Detailed knowledge of all relevant sections of the River Cam from Batsbite Lock to Byron's Pool.

Broad knowledge of all types of river craft including steel vessels, liveaboards, punts, rowing craft and steel work boats.

Detailed knowledge of relevant Statutory Law and responsibilities of public bodies.

Broad commercial knowledge to include general management, contractual law, employment law, health & safety, risk management, finance and accounts.

I have attached a more detailed summary of my experience to date and have highlighted particular areas where I feel that experience would contribute. If there is any additional information that I can contribute please let me know.





## - Relevant Experience

### Rowing

King's College Boat Club  
1<sup>st</sup> VIII 1988-1990,  
Boat Club President 1990  
Coach 1990-2000  
Boat Club Steering Committee 2000-2005  
KCBC Safety Adviser 2004-2009

1997-1998 Set up business to build new rowing VIII's, ultimately unsuccessful but the result was significant experience in composite boat construction, involving mould making, epoxy resins, carbon fibre and vacuum bagging techniques. These results were transferred to Scudamore's resulting in new, extremely strong, composite ferry punts.

Fitwilliam College Boatman 1998-2000. I was responsible for FCBC craft and the general maintenance of the boathouse (2 years in total). I carried this out on a contract as a part time job around my other responsibilities.

My experience with rowing has given me a detailed knowledge of the river between Jesus Lock and Bottisham.

### Powered Craft

I had the steel Riverboat Georgina built to order and operated her for 3 years before selling the business. I obtained my commercial boatmaster's ticket and was a regular skipper of the craft on her trips. Being involved with the contract for and the build of Georgina, I have experience that could be valuable to the Conservator's in terms of ordering new rivercraft. I also have additional experience related to ordering steel pontoons and other floating structures from my experience with Scudamore's that might also be relevant.

I have my RYA powerboat level 2 licence.

My experience with Georgina has given me a detailed knowledge of the river between Jesus Lock and Bottisham Lock as well as reasonable knowledge as far out as King's Lynn.

### Sailing

I am a keen sailor and have a strong interest in high speed sailing. I once spent 4 months living onboard a series of small yachts, so I have experience that would be relevant to liveaboard craft. I am an RYA qualified 'Yachmaster Offshore'.

I have been involved in a number of sailing projects including the design and testing of a new type of yacht keel. Again this gives me experience in boat design and build.

### **Punts**

I am the majority shareholder and non-executive Chairman of Scudamore's Punting Company. I have been involved in all aspects of the business from boat building to boat hire. This company has a number of sites on the river and is the largest operator of craft on the Backs.

I am the spokesperson for the Punt Operators Association, which includes all 5 punt operators that have sites on the Backs recognized by the Conservators.

My role at Scudamore's has given me the opportunity to pick up a wide range of commercial knowledge that may have value to the Cam Conservators, such as Health and Safety, Personnel and Financial Management as well as some related legal experience.

My experience with this business has given me a detailed knowledge of the river between Byron's Pool and Jesus Lock.

### **Isentropic**

I am the CEO of a technology company called Isentropic that is developing large scale 'batteries' for the storage of electricity. These batteries are large, in the region of 500 to 5000 tons, and involved mechanical and civil engineering. The company currently has 26 employees and, as part of our development process, we have a very strong focus on both Health and Safety and Risk Management. We use heavy machinery, work at heights, work with electricity, work with both cryogenic and hot materials and large steel pressure vessels.

This gives me experience that could be useful to the Conservators in both managing risks and Health and Safety.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I have lived in Cambridge since 1965 with Pam my wife and my three children have grown up here. For the past 31 years we have lived in Newnham and access the river directly from our garden. We chose our location because of our love and appreciation for the river.

I have tackled the issue of surface litter simply and directly. By canoe as often as is necessary I clear the river of cans, bottles and plastics. I began to tackle the issue over 20 years ago and the upper river is now far better every summer, even after a spell of fine weather. This interest then extended to the Cam Valley Forum where, with others, as founder members, we took on the bigger task of preserving and enhancing the river valley from the tributaries to the lodes.

After 4 years as a City Councillor, member of the Planning Committee and Chair of Strategy Scrutiny, I stepped down following disagreement on policy issues and in particular my opposition to the conditional support of the guided bus investment programme. I joined the Cleaner Cambridge Campaign group in 2005, to become Chairman 3 years ago. This spring I organized the Cam Clean Up on behalf of CCC and intend to do the same in 2013, hopefully with CVF.

Owning a punt and canoes gives me access to the river as far as Jesus lock. As active members of Cam Rowers, Pam and I also join colleagues every Wednesday and take a quad sculls to Baits Bite lock and back.

I can claim therefore to know the river in some detail from Grantchester to Fen Ditton and update myself weekly through active observation.

I do have friends (not close) who are current City Councillors and am still active politically. However I am not currently a member of any political party and intend to give my support to our preferred candidate at each election time.

I try to take a longer term overview of pressing issues but stay close to the detail.

I believe that Cambridge needs much more accessible water space as it grows and effective management of this precious resource is of the highest priority. There are too many issues that remain unresolved for too long.

I am an active member of Cambridge PPF and the Cambridge 2030 steering group.

3

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I came to Cambridge as a student of Architecture in and have lived and worked in the city for the past 8 years. Since 2008, I have lived on the river, first at Upware Marina, and for the last two years on a residential mooring on Midsummer Common.

Ever since embarking on a life afloat, I have had a keen interest in the river and the way both navigation and moorings are managed. I joined the Camboaters community group and was part of the successful campaign to keep mooring fees at a reasonable rate. I was elected to Secretary in 2010, and represented Camboaters at the joint Cam Conservancy – Environment Agency meeting in Peterborough in 2011 to discuss the new Interchange Agreement. In January this year, I was appointed Observer to the Cam Conservancy meetings, representing Camboaters.

I am also a rower, with Chesterton, and City of Cambridge Rowing Clubs, and regularly attend the Cambridgeshire Rowing Association meetings. I am part of the CRA sub-committee who meet to discuss river licensing issues. As both a rower and a powered boater, in meetings I often find myself in a position of mediation between the two sets of river users, advocating for the other perspective, and have tried to promote understanding on both sides.

On our boat, Lucky Duck, we often go cruising around the Fen waterways and on to the canals. Beyond the Fens, I have a strong interest in the canals and historic narrowboats, which has led me to take a position as East Representative on the committee of the Historic Narrow Boat Club, an active pressure group for navigational and waterway heritage interests who have strong links with both the Inland Waterways Association and the new Canals and Rivers Trust. This means that I am kept up to date with the changes occurring as the new Trust takes over BW's responsibilities.

If I were to be appointed to the Conservancy, I would welcome the opportunity to serve the river communities which I represent.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

Aprox 55 years of experience on the river. Lived in Horningsea for 40 years so know the river Cam very well. My experience of small craft over the fifty five years is in rowing, sailing motor and steam powered craft on the river Cam and its tributues including the Wash. Held a boat masters certificate for the Georgina five years in a Royal Naval School. Over 40 years seagoing experience in all ranks of the Merchant Navy cumulating in having the qualification of master mariner F.G. for thirty years before retiring. Until retired held a Pilots exemption Licence for the port of Harwich for three ships overall lengths of 210 metres currently Chairman of Horningsea Residents Association.



**Skills, Abilities, Knowledge and Experience**

I currently reside in Horningsea and have a substantial river frontage.

My son has a Dutch Barge moored at the river end of my garden and during the time I have lived here I have had contact from time to time with the Conservators.

I am attaching my brief CV which indicates that I have had a large rowing experience on both the Cam and the Thames and in addition as a Chartered Accountant I have had many years of experience in Finance and accounting matters

## Curriculum Vitae

Name :

Date of Birth :

Marital Status : Married

Education :

Westminster School (1949-1953)  
Trinity College Cambridge (1955-1958)  
National Service in the Royal Air Force (1953-1955)

July 1958-July 1961

Articled to Harrison Son Hill & Company, Chartered Accountants, qualifying as a Chartered Accountant in 1961.

August 1961-December 1963

A lecturer in Accountancy with Anderson, Thomas, Frankel (now Financial Training) and also undertook normal professional work with that firm.

January 1964- April 1976

Partner in Harrison Son Hill & Company, engaged in all normal professional activities but specialising in all aspects of business advice.

May 1976-September 1979

Having arranged for Harrison Son Hill & Co to be merged with Robson Rhodes continued professional activities as a partner in Robson Rhodes.

October 1979-Date

Having retired from Robson Rhodes set up Michael Harrison & Co Ltd, which provides financial and management advice covering a wide range of subjects particularly international.

1971-2002 An Underwriting Member of Lloyds.

Sports-Rowing

1<sup>st</sup> Eight Westminster School (1952 and 1953)  
Royal Air Force Eight (1954)  
Royal Air Force Wyfold Four (1955)  
Cambridge University Trail Eights (1955)  
1<sup>st</sup> and 3<sup>rd</sup> Trinity 1<sup>st</sup> Eights in Lent, May and Henley crews (1955-1958)  
Cambridge University Goldie Eight 1958

Hobbies

Skating, Water Skiing, Clay Pidgeon Shooting and Gardening.

Other Activities

Member Leander Club

Member of Stewards Henley Royal Regatta

Liveryman of Worshipful Company of Chartered Accountants in  
England and Wales.

Treasurer New Life Magazine

Treasurer Friends of Horningsea Church

Formerly

Founder Governor and Chairman of British American Drama  
Academy.

Member of Merton Conservation & Design Advisory Panel.

Director of Merton Priory Trust

Lay Member of Admissions Appeal Committee for various Merton  
Schools

And Treasurer of:-

Wimbledon House Residents Association

RNLI (Wimbledon Branch)

Merton Community Dance

The Busby Society

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I retired at 50 after working in the oil and gas industry for 32 years based in Houston, Texas.

Eight years ago, I moved to my house in Fen Ditton, called Bumps Lodge, where my garden incorporates frontage onto the river Cam, with riparian rights.

In the time we have lived there the river has given us a lot of fun, relaxation, new friends, and many, many stories that we tell all the time. Not forgetting, quite a lot of work.

Every day, winter and summer, during the eight years I have spent some time during the day either on or around the river. I have been a boat owner on the river during all of this period, I own a cruiser and also a small rowing boat.

I feel that there are not many people who know and understand the river as intimately as I do.

I know a varied group of people from both university and town rowing clubs. During the town bumps, the safety boat has spent the week moored in my cutting every year for 5 years, and in February we revived nine girls from Darwin college who's boat had sunk in the icy river at 7-00am, and who were all suffering from advanced hyperthermia. They plan to buy a new ladies boat this year, and have promised to name it after my wife.

I have come into contact with many of the boat dwellers on the river as I have spent so much time travelling to and from Cambridge.

I know, and have a good relationship with all of the Conservators staff employed on the river.

I have also got to know the wildlife on the river, as a lot of it lives in my garden or in the field adjacent, the rest I see from my small boat. Since living close to the river I have become acutely aware of the environmental issues affecting wildlife.

From seeing what is happening to the bank of my own field, I am aware that bank erosion is a serious problem that needs addressing.

Finally, the biggest asset I bring is my passion for the river, my wife and I just love the river. We travel extensively but can't wait to get back to our garden on the beautiful river Cam.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I have been involved with rowing on the Cam since 1960 and am still rowing actively in the Cambridge Veteran's eight.

I have organised many rowing events on the Cam and was Chairman of Cambridge Regatta for a number of years.

I have been President of the Cambridgeshire Rowing Association for the past 26 years and take an active part in the affairs of rowing on the Cam including the organisation of events and liaison with the river Manager. I regularly call into the office at Baits Bite to discuss rowing and other relevant matters.

At the moment the Cambridgeshire Rowing Association is intending to build a boathouse at Logan's Way and I am heading the sub-committee in dealing with the Bursars of the Combined Boathouse and Cambridge City Council Property and Building Services.

I am an Observer of the Conservators of the River Cam and have held this position in excess of 10 years. I take an active interest their affairs and often offer advice at their quarterly meetings.

I regularly either walk or run along the banks of the Cam and have an in depth knowledge of all aspects. I worked closely with the local fishing society to draw up a code of practice between the rowers and fishermen.

I was recently involved with discussions on mooring along Riverside and helped the river bailiff carry out width and depth measurements.

I have lived in Cambridge all my life and for many years was a member of the 12<sup>th</sup> Cambridge Sea Scouts which had a boathouse opposite Jesus Green. From here we would regularly canoe, sail, fish or swim in the Cam.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

My interest in river use goes back a long way, starting with more than 20 years' competitive rowing and coaching (on the Thames). I am now a member of probably the most numerous group of users of the Cam – those who use its banks for recreation, in my case cycling in particular. However I don't want to join the Conservators to represent a particular group; rather I am eager to use my wider experience and capacity to contribute to the Conservators' work as a whole.

My earlier career (see the attached cv for more detail) has given me a broad understanding of a number of relevant issues. As Environment Strategy Director in the Department of Environment Food and Rural Affairs (Defra), then as a senior advisor at the European Environment Agency, I gained a comprehensive understanding of the whole range of environmental questions, including the management of water resources; and of the national, European and international regulatory framework. In my Defra role I was also responsible for managing the Government's relationship with the Environment Agency and British Waterways, giving me a good level of familiarity with these bodies.

I have learned a good deal about effective governance and am confident that I can contribute to the work of a broad-based body like the Conservators. In addition to wide executive management experience, I have shown that I know how to operate effectively at a corporate level – as an executive director at Defra, as a non-executive in the food sector, as a Governor of Kingston University, and as a member of the Associates group of my current company, Beta Technology. I am alive to local issues, having been joint secretary of the Accordia Community and Residents Association since its creation; and my work as a consultant for Cambridge University in 2011 gave me a crash course on how it works.

I work on a limited part-time basis, and would have no difficulty finding time to join the Conservators and to undertake the activity described in paragraph 4 of the Person Specification. I am very happy to commit to at least a three-year term.

**Your skills, abilities, knowledge and experience**

I would not claim to represent any specific group of river users (houseboat owners, rowers, punt operators, etc.) so much as the general body of thousands who appreciate and use Cambridge – residents of the city and neighbouring villages; those who travel to the Cambridge for work or shopping; and the many who visit the city as tourists.

Brought up in Essex, I have lived in Cambridge during three episodes: as an undergraduate studying Engineering at Fitzwilliam College (1968 – 1972); doing a PhD in riverbank stability at Darwin College (1974 -1977); and, since 1988, working at the University of Cambridge in various roles: Director of the Cambridge Programme for Industry (the University's programme of Executive Education, from 1988 to 1998); Director of the Corporate Liaison Office (1998 to 2006) and as Director of Strategic Development in the University's Central Administration (2006 to 2009). From 1988 to the present I have also been a Fellow of Trinity Hall, where I have taught engineering, been Tutor for Graduate Students (1990 to 2006) and throughout been Director of Studies in Engineering. During all this time I have been extensively involved in committee work at every level, both inside and outside the University (a director of regional business-training initiative set up as a company; trustee/chairman of a charity, governor of a Sixth Form College, etc.). As an engineer I am particularly focused on such work being focused and oriented to delivering appropriate outcomes.

During all these periods I have appreciated and used the river and its environs. As an undergraduate and graduate student I rowed. As an adult resident I have punted, walked, cycled and swum along the river, which, together with the exceptional acreage of green space in and adjacent to the city, contributes to the creation of what must be one of the most enviable cityscapes in the world.

There are perhaps two specific reasons why I would value the opportunity to contribute positively to the Conservators' decision-making:

- (i) As a professional engineer, I specialized at one stage in the design and construction of dams and reservoirs, and for a long period ran a consultancy company that concentrated on rural development in its many forms. My PhD involved modeling of the Thames and Mississippi river banks.
- (ii) As a Cambridge resident, I now have the good fortune to live in a house within the city whose garden runs down to a substantial flooded claypit. I took the lead in setting up a company to acquire the pit, structured such that it could be co-owned by the households that border it, but such that individual shares could not be sold, the intention being to conserve in perpetuity what is a rare and precious natural environment. As Company Secretary of the Bolton Pit Co Ltd, I have a keen interest in the good management of the waters of Cambridge.

The Cam is both a rare and precious natural environment and a practical waterway that is validly used by many constituencies. It is important to almost everyone who has anything to do with Cambridge, bridging (if a river can be a bridge!) every possible social, cultural and economic distinction.

(11)

### **Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to)

I am a qualified Architect and Urban designer with particular interest and expertise in landscape and in particular water within the landscape. I have been involved in recent years in the development of a design framework for the Lea River Park in East London - though my work at 5th Studio, an award winning design practice based here in Cambridge - alongside a number of follow on proposals for riverside landscapes and associated infrastructure.

I live fairly close by to the river and enjoy it regularly – punting, swimming (albeit not in the area covered by the conservancy very often), walking and cycling, or sitting out along its banks. However, while I enjoy these aspects of the river, what I would bring - especially from my professional work - is a strategic outlook, and an appreciation of the multiple roles that the river embodies/negotiates (sport, leisure, tourism, extraction, navigation, power (potentially), water supply/outfall, flood protection, cooling, biodiversity, industry, delight, etc. etc.) and an ability to both synthesise these concerns and to think creatively about the opportunities and interface between them. I am practically minded with a grounding and enjoyment of engineering disciplines, as well as being a creative thinker and a good communicator.

I am committed to the ideal of public service to the community in which I live - and would be delighted to make a positive contribution to the on-going management of the river for the good of the city.



**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

**As part of the team of Cam Conservators, under the River Cam Conservancy Act 1922, I would expect to be an active member of this body and would want to be part of any active debate in private but would then expect to agree to the majority decisions taken as a collective body in public.**

I am a part owner of a 12 acre piece of river bank on the Great Ouse in Eaton Socon and have therefore thirty years of experience of issues with environmental and leisure activities and the balance of various interest in terms of public and private expectations - a situation which I believe is important for the Cam Conservators. Having recently purchased an evening punt for the river I now feel that special interest in the River here in Cambridge. My home is 300 yards from the river Cam behind the University Boat Houses in the city centre and I have lived and worked in this City for fifteen years having previously lived on the Thames in Wapping and watched that tidal waterway change from a commercial (docking) usage to a transport highway and now an important tourist attraction. These skills and experience could be useful in the discharge of the role. My family have 50 years of history of rowing on this river and as a child we enjoyed the rivers from Bedford to Denver during holiday times with the manual operation of lock gates and fishing.

My schedule allows sufficient time to devote to the work of the team and my involvement in community activities includes being a trustee of the 800 Committee for Cambridge Folk Museum and Chairing the governance group for the East of England for Rethink Mental Illness (a £52 million charity) and also sitting on the national audit committee for this charity. My business skills include law and accounting which must be included in any commercial or not-for-profit organisation together with knowledge of employment law in terms of permanent and casual/internship staffing. I am neither an

**officer nor councillor of Cambridge City, Cambridgeshire County or any district or parish council within the County neither am I related to any person who is so involved. I am not a member of a political party neither have I ever been declared bankrupt.**

**August 10<sup>th</sup> 2012**

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

My interest in the river can stem from my involvement in punting at Trinity Pubs for 25 years.

I feel that the 'backs' are currently over-exploited, and in danger of losing the charm and beauty that has underpinned its attraction to locals (like myself) and tourists for many years.

If appointed I would seek to persuade the Conservators to address the issue of overcrowding and oversight parts in a way that would be fair to the commercial interests, but primarily for the benefit and safety of tourists, who are the largest single user group of the river, and whose interests are not currently represented on the conservators.

My primary income is not derived from the river, as I work full time for the University and I feel that this gives me a slightly different perspective to other commercial operators.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I row weekly with Camrowers, a club and charity mainly serving rowers over 50; this includes sessions for members of Forever Active and the University of the Third Age in Cambridge. We work with University colleges and coaches.

My daughter lived for four years on a narrow boat on the river in Cambridge, and I still have some contact with the narrow boat community.

My home is close to boat houses and overlooks the river.

I am a school governor (details again on page 1) and have regular involvement with parents and the county council.

I have been the head of a national non-ministerial department (details are on page 1 of this application) and I am used to public accountability, the need to comply with statutory requirements and the need to balance the interests of different stakeholders.

I have been a college bursar.

I see a key role of public members of the Cam Conservancy as being constructively to challenge its executives; and to protect the interests of all river users, including ensuring an appropriate balance of those interests.

**Your skills, abilities, knowledge and experience**

All of my life I have lived and worked in Cambridge. I am a qualified accountant and a Fellow of the Chartered Institute of Certified Accountants. My last employment was with Amgen Ltd, an American Biotechnology Company where I was responsible for all Financial and Legal matters for the UK and Ireland until I retired in 1998.

Since retirement I have undertaken a number of Voluntary Roles, for four years I was an advisor with the Citizens Advice Bureau and I was also a member of the Independent Remuneration Panel for Cambridge City Council for six years. I was also a governor for Castle School (Cambridge) for the first four years of their existence.

For most of my life I have been a member of Cantabrigian Rowing Club having learnt to row at school. I am now an Honorary Life Member, Vice President and The Auditor for the club. I am also a Vice President and The Auditor for the Cambridgeshire Rowing Association (the governing body of local town rowing). I am a Coach Educator for British Rowing and have responsibility to train and assess newly qualified rowing coaches, which includes making them aware of other river user's and their requirements and taking care of the waters we row on.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I have lived in Cambridge for the last 12 years and greatly appreciate the river, and am therefore happy to help administer it.

I often take visitors out on a punt.

I am very much involved in rowing. I am a member of Rob Roy boat club and am involved throughout the year in:

- Coaching – both college crews and members of town clubs
- Helping run events e.g. as a marshal
- I go sculling – though for pleasure, not completion.

I recently joined in the morning event cleaning the banks of the river.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

**Interest/knowledge of River use.**

Former rower for Trinity 1<sup>st</sup> & 3<sup>rd</sup>, so familiar with River Cam from a rower's perspective. Been resident in Abbey within sight of the River Cam for 12 years. Current location overlooking the Cam means that I observe incidents on the Cam on a regular basis. I am a cyclist and very familiar with the tow path to Baits Bite and its useage.

**Not a Councillor / Officer**

I am not a Councillor or Council Officer, nor do I have relatives or close personal friends who hold such positions.

**Live or Work in Cambridge**

I live in Cambridge

**Commitment to Serve the Community**

I am an active member of the Riverside Area Residents' Association (RARA) and regularly attend and participate in the Cambridge City Council East Area Committee. I am willing and available to serve as a Cam Conservator for a three year term.

**Code of Conduct**

I am willing to sign up to a Code of Conduct for Council Appointees.

**Party Political Membership**

I am not a member of any political party

**Bankruptcy**

I have not been declared Bankrupt

**Other Information**

I know of no additional information which might cause the Council to reconsider my appointment

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I have lived and worked in the City of Cambridge over a period of 40 years; for the last 16 years in a house overlooking Midsummer Common and the river Cam. During that time I have been closely involved with the river.

I have practical experience of river use. From my time in the University I have been an active punter on the river - both for social and formal groups. I still use my licensed canoe to paddle up and down the river for pleasure. My wife is an active rower for a City club and I have helped launch boats, push them out for the bumps and marshal during races. I have built up friendships with a number of houseboat residents. My knowledge of fishing is limited to the occasional chat with anglers when walking along the towpath.

I am committed to the local community as a founder member and past chairman of the Friends of Midsummer Common (FoMC). Over the last 5 years we have worked closely with the City Council and the community to help improve the condition of the Common. This has involved many meetings, frequently involving the condition of the river bank, moorings and cattle intrusions. I campaigned hard for appropriate tree plantings along the river bank on the Common and worked with others to create a Community Orchard. I have given much free time to these various activities.

Whilst chairman of FoMC, I did apply for and receive small grants from the Cambridge Community Foundation to help fund the organisation and establish the Orchard. But no money came to me personally. I went on training courses for orchard management with EU support but personal expenditure.

I am NOT a party political member (nor been declared bankrupt). I have attended the occasional Conservators meeting in the Guildhall so am familiar with their mission and procedures. I know Pippa Noon, the River Manager, who I asked to give a talk at the recent FoMC AGM.



**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I am a resident [redacted], which abuts on the Tow Path and I am a daily user of the Tow Path along the river Cam for nearly 20 years. I genuinely value of the river and its inhabitants including those swans and ducks.

I am not an elected representative nor employee of the Councils and I have no connection or relation with the current members.

As stated above I am resident adjacent to the river and an admirer of the river and its inhabitants.

I am committed to serve the community under the direction of the Council and other relevant statutory bodies.

I am aware of the existence and its practical values of the seven principles of the Nolan Commission recommendations and I am happy to continue to observe the above principles.

I am a member of the Labour Party and I am the vice chairman of the East Chesterton Branch.

I am clean and never been bankrupt.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

**Personal profile**

Following a professional background as a solicitor, I was elected the Senior Partner and Chair of the Partners Board of a national law practice with offices in London, Manchester, Nottingham and Richmond (associated office in Edinburgh). I was the Principal of a London law firm and then a Consultant with a Cambridge law firm. Following retirement from full time practice I have joined Anglia Law School (Anglia Ruskin University, East Road, Cambridge) as a senior law lecturer, remaining as a solicitor and maintaining my regulatory, public appointments and community roles.

I have much experience of working constructively and successfully with others in a collegiate manner through board and committee frameworks in the private and public sector. This has led to skills and knowledge at a senior level in planning strategy, business development, governance, consumer engagement and service standards. I am able to apply transferable skills to public appointments and quasi-judicial roles as evidenced below. Working within statutory frameworks, with a commitment to public protection, I have a full knowledge and commitment to public body issues of trust, proprietary and public confidence underpinned by the Seven Principles of Public Life. (The Nolan Principles).

**Skills, abilities, knowledge and experience (some examples)**

I was appointed as a Board Member of the HMCS Courts Board for Cambridgeshire, Essex, Norfolk and Suffolk. Appointments to Courts Boards were made by the Lord Chancellor and members held a statutory office under the Courts Act 2003. This role required skills to consider performance reports on achievement, regularly during the year, against local and national objectives and service standards to ensure a strategy is formulated, the reasons underlying the performance and where appropriate, recommend action. In essence taking an overall view of the work of the courts in the area. I was able to debate constructively working within this statutory and public framework and balance conflicting views - thereafter taking corporate responsibility for agreed decisions.

I am appointed by the Law Society as a Solicitor Assessor sitting with a Costs Judge and High Court Judge on appeals to the High Court. I am able to analyse and evaluate complex evidence of parties, both oral and written, and apply these skills to key issues, before providing an independent recommendation and accountable assessment. A similar role was undertaken in the Mayors and City of London Court (County Court Jurisdiction) on appointment by the Court.

I am appointed by the Institute and Faculty of Actuaries as a Lay (Independent) member of their Disciplinary Pool – selected to sit on Disciplinary Tribunal Panels, Interim Orders Panels, Adjudication Panels and Appeals. The regulatory activity of the Institute and Faculty of Actuaries is overseen by the Financial Reporting Council

(FRC), through its Professional Oversight Board. Another quasi-judicial role is being a Panel Member of the Conduct Committee and Conduct Appeals Committee Panels of the Cost Lawyers Standard Board (an 'Approved Regulator' pursuant to the Legal Services Act 2007 and other prevailing legislation overseen by the Legal Services Board). I am able to demonstrate skills of impartiality, independence and an open-minded approach to facts including being able to take a collective and individual responsibility in the decisions reached. I also have much experience of challenging scenarios and dealing with unexpected contingencies effectively.

I am a Member of the Cambridge City Council's Independent Remuneration Panel pertaining to Councillor Allowances under the Local Authorities (Members Allowances) (England) Regulations 2003. This requires an ability to work collaboratively in critically evaluating facts, a full understanding of accounts and budgets and being able to produce a clear and succinct analyses and digests of arguments put by others.

Further evidence of my commitment to the community was being appointed by the Cambridgeshire Local Education Authority as a school governor to provide governance and constructive advice to an under performing Cambridge community school with economic and social issues. I was involved in overall strategy and services. I was Chair of the Personnel Committee and on the Disciplinary Appeals Committee. I demonstrated a commitment to the public interest by monitoring, reviewing and evaluating performance within regulatory policy and practices.

I am a volunteer for Cam Sight a registered charity in Cambridge that works with blind and partially sighted people in Cambridgeshire.

As an Academic I teach transferable legal skills. This encompasses writing, and how to develop inclusively, fluent and articulate oral and written communication skills. I regularly write and produce course text and material. I teach students how to communicate effectively and influence others using logic and reason and how to find solutions that everyone accepts.

**An interest in, and/or evidenced knowledge of some aspect of river use.**

I have owned a number of boats and over many years greatly enjoyed using rivers as a basis for my leisure pursuits. Over this period I have acquired much knowledge of the impact of river use upon all stakeholders through this leisure activity – particularly the river Ouse and its tributaries. For example I have had boat moorings at Buckden Marina and St Neots Marina and regularly cruised the river.

This interest has also developed into an environmental and conservation interest, particularly since moving to Cambridge as I live very near to the river Granta/Cam in Kings Mill Lane, Great Shelford. We are about 200 yards from the riverbank. Also at the top of our lane is Rectory Farm and, with the farmer's permission, I regularly walk along the farm track of Rectory Farm which follows the river course. I have particularly enjoyed during the seasons observing the wildlife that use the river and the temporal changes of the river.

**Completion of Person specification criteria (not referred to above)**

I confirm that I am not a Councillor or officer of Cambridge City Council, Cambridgeshire County Council, other District or Parish Councils in Cambridgeshire. I am not a relative or close friend of any current elected member or officer of the Council. I work in the City of Cambridge.

I have a commitment to serve the community as evidenced above, can attend meetings and am willing to take any training and to offer requisite time to perform the duties to the satisfaction of the City Council. I understand the commitment to a three year term of office.

I am willing to sign up to a Code of Conduct applicable to members of the public made Council appointees. As evidenced above I understand and follow the Nolan Principles in my public appointments. I am not a member of any political party nor have I been declared bankrupt.

To the best of my knowledge and belief there is not ant matter in my background which, if it became public, might cause the council to reconsider the appointment.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

WHILE AT SCHOOL IN CAMBRIDGE I LEARN'T TO SWIM AT SHEEPS GREEN AS A MEMBER OF CAMBRIDGE AMATEUR SWIMMING CLUB, SAIL AT CAR SAILING CLUB, FISH IN THE TILW POND AND CANOE WITH THE SCOTS ON THE RIVER. THIS ENJOYMENT HAS NEVER LEFT ME.

I HAVE WORKED IN CAMBRIDGE ALL MY WORKING LIFE AND LIVED HERE EXCEPT FOR TWENTY YEARS (1981 - 2007) WHEN I LIVED IN NORFOLK A LONGSIDE THE RIVER BURE. I WAS A MEMBER OF HORMING SAILING CLUB AND NORFOLK BROODS YACHT CLUBS SAILING, RACING AND TEACHING YOUNG CHILDREN THE Rudiments of sailing, RESCUE BOAT AND FIRST AID BEING PART OF MY RESPONSIBILITIES

I WAS TREASURER TO HARRISBURGH CASTLETON, AFFILIATED TO H.N. CASSTOWN SO AM FAMILIAR WITH MEASURE PRECISION, RADIO COMMUNICATIONS, RADAR ETC AND HAVE SERVED ON SEVERAL COMMITTEES RELATED TO THE ABOVE

AM THE BARKS I HAVE OWNED I HAVE BUILT OR WORKED ON FISH CANOES TO WOODEN YACHTS, PUNKING, MECHANICS RIGGING ETC.

FOR THE PAST ~~FOR~~ THIRTY FIVE YEARS I HAVE BEEN MANAGING DIRECTOR AN CHAIRMAN OF RETAIL AND WHOLESALE BUSINESS AND AM CURRENTLY A VAN DRIVER (PART TIME) BASED IN CAMBRIDGE.

**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I am managing director of a small company that owns a narrowboat. We hire this boat to people to use for holidays. We have been doing this successfully since 2003. The boat is licensed with the Conservators as a hire craft.

I regularly hire the narrowboat myself from my own company and use it for my own pleasure cruising. I'm a competent boat handler, and very familiar with the river from the point of view of motor boaters. For many years I have also been joint owner of a privately owned punt, with a group of friends. The punt is kept at St John's College in the summer. I also used to cox rowing boats when I was a student, so I have some understanding of the rower's point of view.

My home is by the river (I'm a riparian owner). I have lived here since 2001.

I spent several years on the committee of Old Chesterton Residents' Association, and represented the Association on the project committee for the building of St Andrew's Hall.

My main career has been in the software industry. I have 20 years' experience working as a software engineer, which has included managing other engineers, interviewing applicants for jobs, and so on. I also have several years' experience in running my own company, which, as well as the boat hire enterprise mentioned above, also provides editorial and typesetting services to several long-standing clients. It's therefore clear that I have a proven ability to communicate with a wide variety of people, and am obviously considered trustworthy by many.

I am a long-serving member of the Labour Party. I'm therefore acquainted with several of the Labour councillors (and some of the Lib Dems, too), though I would not describe any of them as close friends.

The contractual relationship that I've mentioned in my application is just that we once hired our narrowboat to the Council for a day, so that the play leaders could use it for training, before they acquired the Play Boat.

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**Your skills, abilities, knowledge and experience**

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

A few weeks ago whilst walking on the riverside footpath at Newnham pool we saw a notice advertising two Cam Conservator posts. I wonder if I can return some of the pleasure gained over the years walking along the river by becoming a Conservator and so help protect the river from over intensive use.

Since we came to Cambridge in 1968 the river above Jesus Lock has become very heavily used, especially by tourists in their hired punts and the 'carrying capacity' of the River must have been approached if not exceeded on a hot summer's day. Has this had an impact on the birds associated with the River? It is a long time since we saw a kingfisher. The swans at St John's College continue to breed successfully on their island but there seem fewer ducks around this year, perhaps due to the very wet weather. Fortunately, it is also a long time since I saw, and reported, a mink in the grounds of St John's College. We not only walk along the river but also keep an eye on the ditches adjacent to the Cam and on Bin Brook on its way through western Cambridge to the Cam. Indeed fish can some times be seen more often in Bin Brook than in the nearby Cam. Is monitoring the ecology of the River a job for the Conservators or the Environment Agency?

Most days I cross the River at Jesus Green Lock and have a quick look at the level and state of the River. Part of my 'day job' is to assess soil erosion and runoff from farmers' fields and the rise and fall of the River gives me an indication of whether I should be checking in the field to see what is happening there. The quality of the water in the Cam is not controlled just by what is happening in the City but mostly by what is happening upstream – nitrate laden water from agricultural land, phosphate from Sewage Treatment Works and the land, and pesticides mostly from the land but possibly also seepage from the former pesticide producing factory at Hauxton, and silt washed from cleaned out water courses as well as from the land, roads and tracks. All these pollutants from diffuse sources may mean the Cam will not meet the criteria set by the Water Framework Directive. Do such matters come within the brief of the Cam Conservators which seems to be largely about use of the River, especially navigation and boating? If not, perhaps they should?

It may well be that my questions are easily answered and I should just look harder for the information. But if not perhaps there could be a role for a Conservator to try to bring together the organisations already involved with those more interested in the ecology of the Cam, such as the Wildlife Trust, Cam Valley Forum, Cambridge Past, Present & Future and angling bodies.

I declare that I am a member of the Cambridge Labour Party.

### Your skills, abilities, knowledge and experience

(Please read the person specification before you complete this section. This is the most important part of your application. In particular please illustrate your interest in, and/or evidenced knowledge of, some aspect of river use. You do not have to cover employment history unless you wish to.)

I HAVE SPENT THE PAST 40 YEARS BOATING ON THE GR. OUSE, THE RIVER CAM AND THEIR TRIBUTARIES.

I HAVE SERVED THE CAMBRIDGE MOTOR BOAT CLUB FOR 25 YEARS, BEING COMMANDER IN 2000/2001. AT PRESENT I AM AGAIN VICE-COMMANDER AND WILL BE COMMANDER NEXT YEAR (2013). MY BOATS HAVE BEEN MOUNTED ON THE CAM AT CAMBIC FOR THE PAST 20 YEARS.

I AM AN OFFICIAL OBSERVER FOR THE PAST 4 YEARS.

OF THE CAM CONSERVATORS AT THE COMMITTEE MEETINGS. I AM A PAST CHAIRMAN OF THE GREAT OUSE BOATING ASSOCIATION (GOBA) AND STILL AN ACTIVE MEMBER OF THE COMMITTEE.

I REPRESENT THE INCANIS WAYFARER OF OUR RIVER SYSTEM ON THE ROTAL YACHTING ASSOCIATION (RYA) FOR THE EAST OF ENGLAND AND HOLD A YACHTMASTER OFFSHORE QUALIFICATION (RYA)

I AM A SOCIAL MEMBER OF 99 RIVER CLUBS AND A MEMBER OF THE CAMBRIDGE DIVING & PROFESSIONAL CLUB ALL ASPECTS OF OUR RIVERS AND WATERWAYS ARE OF PARTICULAR INTEREST TO ME, IN THEIR BOATING, NATURAL & FISHERY.

I AM NOW RETIRED FOR THE PAST 2 YEARS (AUG 88) AND WAS THE MANAGER DIRECTOR OF CAMBRIDGE VIBRATION MAINTENANCE SERVICES LTD (CVMSL) SPECIALISING IN THE STABILITY ON A WORLD WIDE BASIS OF ENVIRONMENTAL TESTING MACHINES FOR THE MOD. AND SPACE INDUSTRY. I AM ALSO A MEMBER OF THE SOCIETY OF ENVIRONMENTAL ENGINEERS (FSEE) I ALSO SIT ON THE REGIONAL NAVIGATION GROUP OF THE ENVIRONMENT AGENCY,



**Skills, abilities, knowledge and experience**

I have a long standing connection with the city in which I have lived, apart from four years abroad, since 1964. Before that I was here as an undergraduate reading geography at Girton College, which gave me a somewhat different perspective on the city and its river. I am now retired after a career spent in environmental planning, largely within the public sector.

I have much affection for, and a wide understanding of, the river – both its pleasures and its problems. In the late 1990s, when the late Professor Nevill Willmer convened a group of friends and colleagues who were worried about the pressures on the river and its floodplain, I was asked to help them decide how their concerns might be translated into effective action. The outcome was the Cam Valley Forum, a voluntary organisation which, since it inauguration in 2001, has worked closely with a range of other organisations to protect and improve the river environment. At its inception I took on the role as secretary, and have served as its chair for the last seven years.

The forum works both as a pressure group, commenting on planning applications affecting the river and raising concerns about pollution, and more practically by taking part in litter-picking or removing invasive vegetation. We also organise guided walks and occasional workshops to increase understanding of the river environment and to demonstrate ways in which people can become active in enhancing it. As a result we have helped to establish local river caring groups in villages upstream. In addition to a small number of individual supporters, thirteen river-related organisations are affiliated to the forum, and we work closely with others organisations – including the local authorities, the wildlife trust and the Cam Conservators, who send representatives to our committee meetings. (The appendix below summarises the vision and work of the forum.)

I am also a river user. In summer I swim in the upper river as a member of the Newnham Riverbank Club. I have a particular interest in the history of swimming in the river, and will be leading a tour in the University's Open Cambridge weekend on this theme. And, year round, I walk and cycle beside the river, both for practical journeys and for pleasure.

**Appendix: The work of the Cam Valley Forum**

The Cam Valley Forum, a small voluntary organisation with big ambitions, wants to see the whole of the Cam catchment area loved and cared for – the rivers Cam, Rhee and Granta and all the small streams that flow into them as well as their associated riversides. We want to be sure that the water is not only clean but that there enough of it in summer – and not too much in the wrong places in winter. We want to see more wet meadows in the upper reaches to help prevent flooding lower down in places such as Cambridge's Riverside. We want to see more riverside trees and patches of wet woodland, the riverside commons and green spaces free of litter, and streams and river banks free of invasive plants such as the non-native floating pennywort. We love to see people enjoying the river in ways that do not harm the wildlife and landscape and, crucially, we want to encourage many more people to look after, and improve, the watercourses and riversides near their homes.

To achieve this vision the forum works closely with other organisations that have responsibilities for, or interests in the river, including local authorities, the Cam Conservators and the Wildlife Trust. The planning authorities consult us on development proposals that affect the river and

riverside land. We take part in removing litter and invasive vegetation from the river and riverbanks. For some years we have been keeping an eye on pollution and changes in aquatic plants; in this connection we recently challenged the Environment Agency's use of chemicals to control weeds over a long stretch of the Cam near Audley End. We have just begun, with the Wildlife Trust, to survey and monitor streams the changes in the riverside flora more comprehensively, and we plan to extend this monitoring to include invertebrate surveys focusing on vulnerable sections of the river, such as near the former factory site at Hauxton. We also run guided walks and occasional workshops to increase understanding of the river environment and to raise awareness of ways in which people can become active in enhancing it. To this end we have been able to make small grants towards improvement projects and to help and encourage local river restoration groups.

## LICENSING COMMITTEE

8 October 2012

10.00 - 11.15 am

**Present:** Councillors Rosenstiel (Chair), Benstead (Vice-Chair), Brierley, Gawthrope, Hart, McPherson, Pippas, Saunders, Smith, Owers and Stuart

### Officers Present

Head of Refuse and Environment – Jas Lally  
Environmental Health Manager – Yvonne O'Donnell  
Licensing and Enforcement Manager – Robert Osbourn  
Solicitor – Carol Patton  
Committee Manager – Martin Whelan

<b>FOR ADOPTION BY THE COUNCIL</b>
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### 12/30/LICF Review of Statement of Gambling Principles

The committee received a report from the Head of Refuse and Environment regarding the "Review of the Statement of Gambling Principles".

**Resolved** (Unanimously) to

- i. Recommend that Council approves the Statement of Gambling Principles shown in Appendix A and recommend to Council that it is published on 21 December 2012, to come in to effect on 18 January 2013.

The meeting ended at 11.15 am

**CHAIR**

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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Jas Lally  
Head of Refuse and Environment

TO: Licensing Committee 08/10/2012

WARDS: All

### REVIEW OF STATEMENT OF GAMBLING PRINCIPLES

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#### 1 INTRODUCTION

- 1.1 Section 349 of the Gambling Act 2005 requires that before each successive period of three years, the Licensing Authority must prepare and publish a statement of principles that it proposes to apply in exercising its functions under the Act during that three year period.
- 1.2 The Council last published its Statement of Principles on 21 December 2009 and it has proved extremely satisfactory in guiding applicants, officers and Members in the consideration and determination of applications. However, a statutory review of the policy must be undertaken and a revised policy published for the next 3 year period.
- 1.3 As there had been no legislative changes that affected the policies set out in the Statement of Principles, no revised guidance had been published by the Gambling Commission and no challenges had been made to any of the policies, the Committee resolved on 25 June 2012 to:  
  
*Commence the statutory consultation process on the existing Statement of Principles*
- 1.4 A 12 week consultation process took place between 26 June 2012 and 17 September 2012 but no responses were received. The unamended draft Statement of Gambling Principles (save for the list of consultees) is therefore attached to the report as Appendix A.

- 1.5 The final Statement must be published no later than 21 December 2012 so that it comes in to effect no later than 18 January 2013 in order for the Council's statutory duty to be fulfilled.

## **2. RECOMMENDATIONS**

- 2.1 Members are recommended:

To endorse the post-consultation draft Statement of Gambling Principles shown in Appendix A and recommend to full Council that it is published on 21 December 2012, to come in to effect on 18 January 2013.

## **3. BACKGROUND**

- 3.1 The Gambling Act 2005 came fully in to effect on 1 September 2007. It created a new system of licensing and regulation for commercial gambling in this country. Amongst other changes, it gave Local Authorities new and extended responsibilities for licensing premises for gambling, some of which were transferred to the Local Authorities from the local licensing justices.
- 3.2 The Act gives Licensing Authorities a number of important regulatory functions in relation to gambling. The main functions are to:
- license premises for gambling activities;
  - consider notices given for the temporary use of premises for gambling;
  - grant permits for gaming and gaming machines in clubs and miners' welfare institutes;
  - regulate gaming and gaming machines in alcohol licensed premises;
  - grant permits to family entertainment centres for the use of certain lower stake gaming machines;
  - grant permits for prize gaming;
  - consider occasional use notices for betting at tracks; and
  - register small societies' lotteries
- 3.3 In addition, section 349 of the Gambling Act 2005 requires that the Council prepares and publishes a Statement of Principles that it proposes to apply in exercising its function under the Act, before each successive period of three years. The existing Statement of Principles under the Gambling Act 2005 was adopted by the Council on 22 October 2009 and published on 21 December 2009. It is therefore necessary for the Council to prepare its third Statement of Gambling Principles for the next three year period.

- 3.4 The Statement of Principles must be formulated in accordance with Regulations and Guidance issued by the Gambling Commission. The Final policy must be published, following approval by full Council, no later 21 December 2012.

#### **4. CONSULTATIONS**

- 4.1 Consultation on the draft policy took place between 26 June 2012 and 17 September 2012 but no responses have been received.
- 4.2 The draft policy that was considered by the Committee on 25 June 2012 has been unaltered, save for updating the list of consultees. This is attached to the report as Appendix A.

#### **5. OPTIONS**

- 5.1 The Committee may resolve to:
- 5.1.1 To endorse the post-consultation draft Statement of Gambling Principles shown in Appendix A and recommend to full Council that the policy is published on 21 December 2012 for it to come in to effect on 18 January 2013; or
- 5.1.2 Amend the draft Statement of Principles and recommend to full Council that the policy is published on 21 December 2012 for it to come in to effect on 18 January 2013.

#### **6. CONCLUSIONS**

- 6.1 Cambridge City Council has a duty to determine and publish a Statement of Principles no later than 21 December 2012. The policy must therefore be referred to full Council for adoption to fulfil the Council's statutory duty.

#### **7. IMPLICATIONS**

(a) **Financial Implications**

The review of the Statement of Principles is a statutory function, covered by the fees paid by Licence and permit holders.

(b) **Staffing Implications**

Existing staff resources will apply the policy once finalised.

(c) **Equal Opportunities Implications**

This is a statutory policy and it promotes equal opportunities. The policy does not prohibit any person from making an application or objecting to an application where they have a statutory right to do so.

(d) **Environmental Implications**

There are no apparent environmental implications that result from the draft policy.

(e) **Community Safety**

The Statement of Principles will ensure that in carrying out its statutory duties, the Licensing Authority will promote the licensing objectives:

- (i) preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- (ii) ensuring that gambling is conducted in a fair and open way; and
- (iii) protecting children and other vulnerable persons from being harmed or exploited by gambling.

## **APPENDICES**

### Appendix A

Draft Statement of Principles.

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

- [Gambling Act 2005](#)
- [Guidance Published by the Gambling Commission in May 2009](#)
- [Existing Statement of Gambling Principles published on 21 December 2009](#)

The author and contact officer for queries on the report is Yvonne O'Donnell on extension \*\*\*\*.

Report file:

Date originated: 16 October 2012

Date of last revision: 16 October 2012



**CAMBRIDGE CITY COUNCIL  
STATEMENT OF PRINCIPLES  
Gambling Act 2005**



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*This Statement of Licensing Principles was approved by Full Council on TBC. All references to the Guidance refer to the Gambling Commission's Guidance to Licensing Authorities 3<sup>rd</sup> Edition published May 2009.*

## **Preface**

Under the Gambling Act 2005, a new regime for regulating gambling and betting was introduced throughout the United Kingdom from 1 September 2007. Apart from the National Lottery and spread betting, gambling and betting is regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.

Cambridge City Council, along with other local licensing authorities, has a duty under the Act to licence premises where gambling is take place and to licence certain other activities (such as registering small society lotteries). This document sets out how we carry out these duties.

## **PART A**

### **1. The Licensing Objectives**

- 1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in Section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - Ensuring that gambling is conducted in a fair and open way
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.
- 1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks is:
- in accordance with any relevant code of practice issued by the Gambling Commission
  - in accordance with any relevant guidance issued by the Gambling Commission
  - reasonably consistent with the licensing objectives and
  - in accordance with the authority’s statement of licensing principles

### **2. Introduction**

- 2.1 Cambridge City Council is situated in Cambridgeshire, which contains 5 District Councils in total. The Council area has a population of 108,856 (2001 Census). In terms of area, it covers 4070 Hectares. The Council area is urban in nature. This area is shown in the map appended to the statement of principles at Appendix A.
- 2.2 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they proposed to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must then be re-published.
- 2.3 Cambridge City Council consulted widely upon this statement before finalising and publishing it.

- 2.4 The Gambling Act requires that the following parties are consulted by Licensing Authorities:
- The Chief Officer of Police;
  - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
  - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.
- 2.5 A full list of persons this authority consulted is set out in Appendix B to this statement of principles. It should be noted that unsolicited comments were received from other persons but we have not listed all of these.
- 2.6 Our consultation took place between **TBC** and **TBC** and we followed the HM Government Code of Practice (published July 2008) that is available at: <http://www.berr.gov.uk/files/file47158.pdf>
- 2.7 The full list of comments made and the consideration by the Council of those comments is available by request to Licensing Section, Refuse & Environment Department. (Contact details are set out below)
- 2.8 The statement of principles was approved at a meeting of the Full Council on **TBC** and was published via our website on **TBC**. Copies were placed in the public libraries of the area as well as the Guildhall and other Council Offices, during normal opening hours.
- 2.9 Should you have any comments as regards this statement of principles please send them via e-mail or letter to the following contact:
- Name: The Licensing Manager, Refuse & Environment  
Address: Cambridge City Council  
PO Box 700  
Cambridge, CB1 0JH  
E-mail: [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)
- 2.10 It should be noted that this statement of principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

### **3. Declaration**

- 3.1 In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

### **4. Responsible Authorities**

- 4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
  - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 4.2 In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Local Safeguarding Children Board for this purpose.
- 4.3 The contact details of all the Responsible Authorities under the Gambling Act 2005 are set out in Appendix C of this statement and are also available via the Council's website at:

<http://www.cambridge.gov.uk/public/pdfs/Gambling%20statement%20of%20principles.pdf>

### **5. Interested parties**

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:
- “For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person -*
- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities, and or*
  - b) has business interests that might be affected by the authorised activities, or*
  - c) represents persons who satisfy paragraph (a) or (b)”*

5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

5.3 Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision-making. It will have regard to the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities at 8.11 to 8.18 which states: -

*"8.11 Section 158 of the Act defines interested parties. To accept a representation from an interested party, the licensing authority must take the view that the person:*

*(a) lives sufficiently close to the premises to be likely to be affected by the authorised activities*

*(b) has business interests that might be affected by the authorised activities*

*(c) represents persons in either of these two groups.*

*8.12 Interested parties can be people who are democratically elected such as councillors and MPs. Where appropriate, this will include county, parish and town councillors. Other than these persons, authorities should require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons requesting the representation is sufficient.*

*8.13 The following gives further advice on how licensing authorities can determine whether someone is an interested party.*

*People living close to the premises*

*8.14 The approach taken by licensing authorities in determining who is an interested party is also a function that should be dealt with in their Licensing Authority Statement of Policy.*

*8.15 The factors that licensing authorities should take into account when determining what "sufficiently close to the premises" means (in each case) might include:*

- the size of the premises;*
- the nature of the premises;*
- the distance of the premises from the location of the person making the representation;*
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and*

- *the circumstances of the complainant. This is not the personal characteristics of the complainant, but the interests of the complainant, which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that “sufficiently close to be likely to be affected” could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.*

*The nature and scope of business interests that could be affected*

8.16 *It could be argued that any gambling business could be affected by another gambling business expanding into any part of Great Britain. But that is unlikely to be enough to satisfy the test of being “a person with business interests that might be affected by the premises” under consideration. For example, an operator in a particular sector (be it casino, bingo, betting etc) should not be able to lodge representations on every application put in by a rival operator anywhere in the country, simply because they are in competition within the same gambling sector. The licensing authority should be satisfied that the relevant business is likely to be affected. In this respect, licensing authorities should bear in mind that the “demand test” from the 1963 and 1968 Acts is not continued in the 2005 Act. Factors that are likely to be relevant include:*

- *the size of the premises;*
- *the ‘catchment’ area of the premises (i.e. how far people travel to visit); and*
- *whether the person making the representation has business interests in that catchment area, that might be affected”*

*People representing those in the above categories*

8.17 *Licensing authorities should include guidance in the Licensing Authority Statement of Policy on whom they consider comes within this category. For example, it should include democratically elected representatives such as local councillors and MPs and could include bodies such as trade associations and trade union and residents’ and tenants’ associations. In other cases licensing authorities should satisfy themselves in a case-by-case basis and possibly request written evidence, that a person does represent interested parties. For example, a school head or governor might act in representing the interests of pupils or parents and a community group might represent vulnerable people living near to the proposed premises.*

8.18 *Licensing authorities will need to have regard to anything an interested party says about their status to make representations.”*

- 5.4 This licensing authority will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- 5.5 Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward/s likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- 5.6 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing section (please refer to page 4 for details).

## **6. Exchange of Information**

- 6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.



## **7. Enforcement**

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the under the powers of Section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that:  
It will be guided by the Gambling Commission's Guidance to Licensing Authorities and will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
  - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
  - Consistent: rules and standards must be coherent and implemented fairly;
  - Transparent: regulators should be open, and keep regulations simple and user friendly; and
  - Targeted: regulation should be focused on the problem, and minimise side effects.
- 7.3 This licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 This licensing authority has adopted and implemented a risk-based inspection programme, based on;
- The licensing objectives
  - Relevant codes of practice
  - Guidance Issued by the Gambling Commission, in particular Part 36
  - The principles set out in this statement of licensing policy
- 7.5 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.
- 7.6 This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

7.7 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements are available upon request to the licensing section (please see page 4 for details). Our risk methodology is also be available upon request.

## **8. Licensing Authority functions**

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

## **PART B PREMISES LICENCES**

### **1. General Principles**

- 1.1 Premises licences are subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be necessary.
- 1.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission;
  - in accordance with any relevant guidance issued by the Gambling Commission;
  - reasonably consistent with the licensing objectives; and
  - in accordance with the authority's statement of licensing principles.
- 1.3 It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below – page 16) and also that unmet demand is not a criterion for a licensing authority.
- 1.4 **Definition of “premises”**

Premises is defined in the Act as including “any place”. Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about subdivisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the third edition of its Guidance to Licensing Authorities that: “In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if

they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”

1.5 This licensing authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that:

*Licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:*

- *The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.*
- *Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.*
- *Customers should be able to participate in the activity named on the premises licence.*

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- *Do the premises have a separate registration for business rates*
- *Is the premises’ neighbouring premises owned by the same person or someone else?*
- *Can each of the premises be accessed from the street or a public passageway?*
- *Can the premises only be accessed from any other gambling premises?*

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

**The Gambling Commission's relevant access provisions for each premises type are reproduced below:**

**7.25 Casinos**

- *The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance)*
- *No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons*
- *No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence*

**Adult Gaming Centre**

- *No customer must be able to access the premises directly from any other licensed gambling premises*

**Betting Shops**

- *Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence*
- *No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.*

**Tracks**

- *No customer should be able to access the premises directly from:*
  - *a casino*
  - *an adult gaming centre*

**Bingo Premises**

- *No customer must be able to access the premise directly from:*
  - *a casino*
  - *an adult gaming centre*
  - *a betting premises, other than a track*

**Family Entertainment Centre**

- *No customer must be able to access the premises directly from:*
  - *a casino*
  - *an adult gaming centre*
  - *a betting premises, other than a track*

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

**(iii) Premises “ready for gambling”**

*The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.*

*If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.*

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.59-7.66 of the Guidance.

## 1.6 Location

This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission’s Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

## 1.7 Planning

The Gambling Commission Guidance to Licensing Authorities states:

*7.59 In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.*

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

*7.66 When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.*

## 1.8 Duplication with other regulatory regimes

This licensing authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

1.9 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

## 1.10 Licensing objectives

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to Licensing Authorities and some comments are made below.

### **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**

The Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction.

### **Ensuring that gambling is conducted in a fair and open way**

The Gambling Commission has stated that it generally does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks, which is explained in more detail in the 'tracks' section below – page 17.

### **Protecting children and other vulnerable persons from being harmed or exploited by gambling**

The Gambling Commission's Guidance to Licensing Authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will, therefore, consider as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

1.11 This licensing authority will also make itself aware of the Gambling Commission Codes of Practice, which the Gambling Commission issues as regards this licensing objective, in relation to specific premises.

1.12 As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that “it will for



regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case-by-case basis.

### 1.13 Conditions

Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

1.14 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

1.15 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

1.16 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

1.17 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

1.18 It is noted that there are conditions that the licensing authority cannot attach to premises licences, which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required. The Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

#### 1.19 Door Supervisors

The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

1.20 Where it is decided that supervision of entrances / machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

## **2. Adult Gaming Centres**

2.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

2.2 This licensing authority may consider measures to meet the licensing objectives, such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### **3. (Licensed) Family Entertainment Centres:**

3.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

3.2 This licensing authority may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to

operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

#### **4. Casinos**

- 4.1 This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this statement of principles with details of that resolution. Any such decision will be made by the Full Council.

#### **5. Bingo premises**

- 5.1 This licensing authority notes that the Gambling Commission's Guidance states:

*18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.*

This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

*18.7 Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.*

#### **6. Betting premises**

- 6.1 Betting machines

This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to

monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

## **7. Tracks**

7.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

7.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

7.3 This licensing authority may consider measures to meet the licensing objectives, such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

## **7.4 Gaming machines**

Where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines (other than category D

machines), these machines should be located in areas from which children are excluded.

#### 7.5 Betting machines

This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

#### 7.6 Applications and plans

The Gambling Act (section 51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.28).

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities, para 20.29).

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance to Licensing Authorities, para 20.31).

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined. (See Guidance to Licensing Authorities, para 20.32).

This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where

betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.33).

## **8. Travelling Fairs**

- 8.1 It will fall to this licensing authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 8.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 8.3 It is noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **9. Provisional Statements**

- 9.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- (a) expects to be constructed;
- (b) expects to be altered; or
- (c) expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a

right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

## **10. Reviews:**

10.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing principles.

The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.



10.2 The licensing authority can itself also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

10.3 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

10.4 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;
- (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

10.5 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

## PART C

### Permits / Temporary & Occasional Use Notice

#### 1. **Unlicensed Family Entertainment Centre (“FEC”) gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)**

1.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

1.2 The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25. The Gambling Commission’s Guidance to Licensing Authorities also states: “In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits..., licensing authorities will want to give weight to child protection issues.” (24.6)

1.3 Guidance also states: “...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application.... Licensing authorities might wish to consider asking applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes. (24.7)

1.4 It should be noted that a licensing authority cannot attach conditions to this type of permit.

#### 1.5 Statement of Principles

This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this

context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

## **2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))**

2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can by making an order under Section 284 of the Gambling Act 2005 remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

2.2 If a licensed premises wishes to have more than 2 machines, then an application needs to be made for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority

that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

- 2.3 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 2.4 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 2.5 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

### **3. Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))**

- 3.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.
- 3.2 This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:
  - that they understand the limits to stakes and prizes that are set out in Regulations;
  - that the gaming offered is within the law
  - Clear policies that outline the steps to be taken to protect children from harm
- 3.3 The licensing authority will determine each application on its own merits.
- 3.4 In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

- 3.5 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
  - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
  - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
  - participation in the gaming must not entitle the player to take part in any other gambling.

#### **4. Club Gaming and Club Machines Permits**

- 4.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).
- 4.2 Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."
- 4.3 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
  - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
  - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;

- (d) a permit held by the applicant has been cancelled in the previous ten years; or
  - (e) an objection has been lodged by the Commission or the police.
- 4.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance to Licensing Authorities states: "*Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced.*" and "*The grounds on which an application under the process may be refused are:*
- (a) *that the club is established primarily for gaming, other than gaming prescribed under schedule 12;*
  - (b) *that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or*
  - (c) *that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.*"
- 4.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

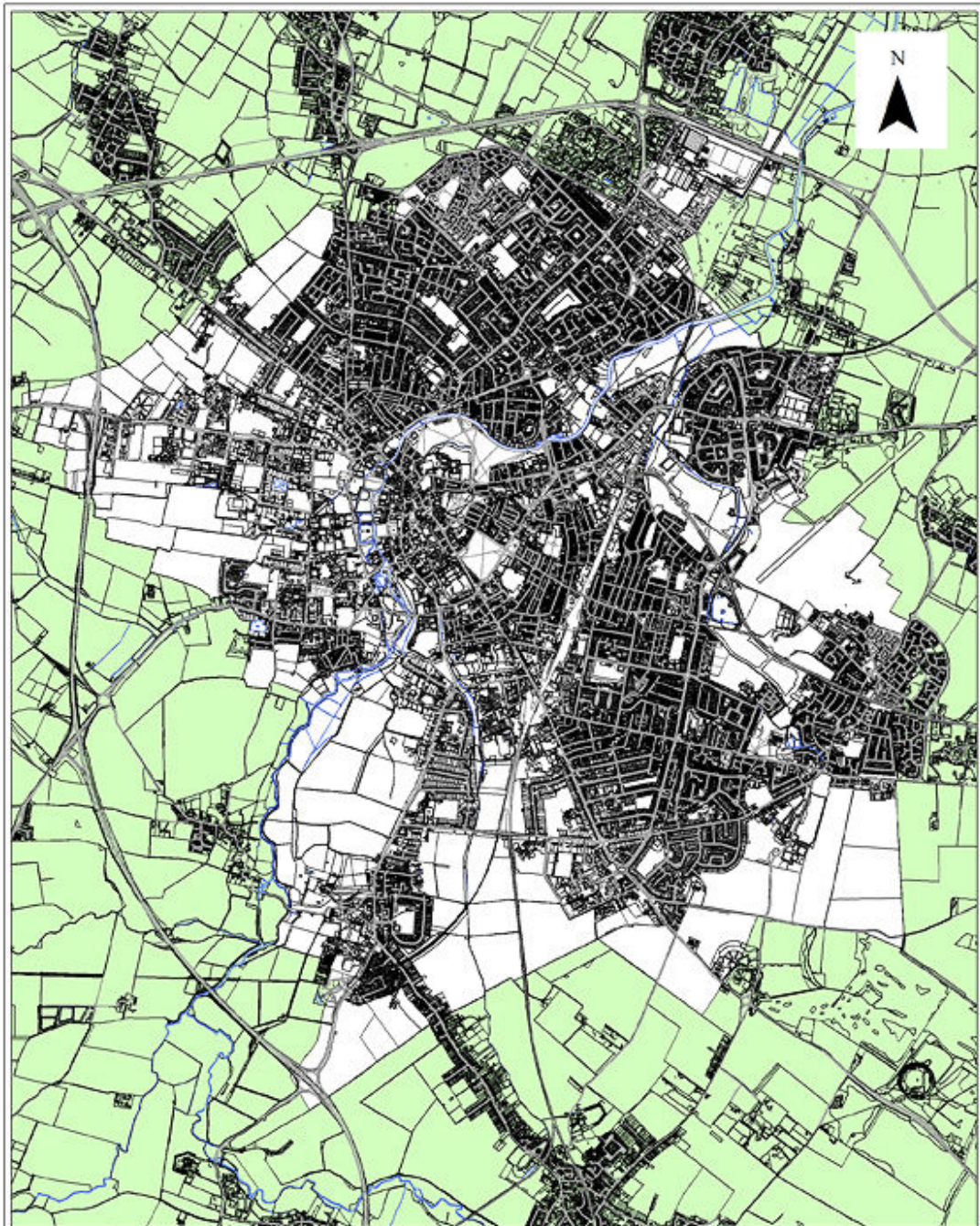
## **5. Temporary Use Notices**

- 5.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 5.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.
- 5.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

5.4 There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that "The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises...This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

## **6. Occasional Use Notices:**

6.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.



## Cambridge City Council Area- Appendix A

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Project Location & Name: J:\Projects\A\GIS\_Projects\Basemap; Layout Name: i/a

Date:	6th July 2006
Produced by:	Themis Kantara
Section/Department:	Environmental Health, Environment & Planning
Scale:	1:45,000



**APPENDIX B**

**List of Consultees**

TBC



## APPENDIX C

### Responsible Authorities



**CAMBRIDGE  
CITY COUNCIL**

#### **The Licensing Authority**

The Licensing Section, Refuse & Environment, PO Box 700, Cambridge, CB1 0JH.

Telephone: 01223 457879 Fax: 01223 457909

Email: [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)

#### **The Gambling Commission**

4<sup>th</sup> Floor, Victoria Square House, Victoria Square, Birmingham B2 4BP

Telephone: 0121 230 6500, Fax: 0121 237 2236

Email: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.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 and Rescue Authority**

The Chief Fire Officer, Cambridgeshire Fire & Rescue Service, Cambridge Fire Station, Parkside, Cambridge, CB1 1JF.

Attention: Licensing

Telephone: 01223 376224 Fax: 01223 376229

#### **Planning Authority**

Environment & Planning, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

Telephone: 01223 457100 Fax: 01223 457109

Email: [planning@cambridge.gov.uk](mailto:planning@cambridge.gov.uk)

#### **Environmental Health**

The Environmental Health Manager, Refuse & Environment, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

Telephone: 01223 457890 Fax: 01223 457909

Email: [env.health@cambridge.gov.uk](mailto:env.health@cambridge.gov.uk)

#### **Local Safeguarding Children Board**

FAO: Joanne Little, LSCB Administrator, 7 The Meadows, Meadow Lane, St Ives, Cambs, PE27 4LG

Telephone: 01480 376699

#### **HM Revenue and Customs:**

National Registration Unit, Portcullis House, 21 India House, Glasgow, G2 4PZ

**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

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

**Conservators of the River Cam**

Clerks to the Conservators of the River Cam, Archer & Archer Solicitors Clerks, Market Place, Ely, Cambridgeshire, CB7 4QN

Telephone: 01353 662203 Fax: 01353 667714

Email: [info@archerandarcher.co.uk](mailto:info@archerandarcher.co.uk)

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## LICENSING COMMITTEE

8 October 2012  
10.00 - 11.15 am

**Present:** Councillors Rosenstiel (Chair), Benstead (Vice-Chair), Brierley, Gawthrop, Hart, McPherson, Pippas, Saunders, Smith, Owers and Stuart

### Officers Present

Head of Refuse and Environment – Jas Lally  
Environmental Health Manager – Yvonne O'Donnell  
Licensing and Enforcement Manager – Robert Osbourn  
Solicitor – Carol Patton  
Committee Manager – Martin Whelan

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

### 12/31/LCF Outcome of review of Statement of Licensing Policy

The committee received a report from the Head of Refuse and Environment regarding the "Outcome of the review of the statement of licensing policy".

The committee welcomed the report, but expressed frustration that greater use of the review powers hadn't been made and suggestions were made to support the process.

**Resolved** (Unanimously) to

Recommend that Council approves the Statement of Licensing Policy as shown in Appendix B and recommend to Council that the policy is adopted from 25 October 2012.

The meeting ended at 11.15 am

**CHAIR**

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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Jas Lally  
Head of Refuse and Environment

TO: Licensing Committee 08/10/2012

WARDS: All

### **OUTCOME OF REVIEW OF STATEMENT OF LICENSING POLICY**

---

#### **1 INTRODUCTION**

- 1.1 Section 5 of the Licensing Act 2003 provides that each Licensing Authority must determine and publish its policy with respect to the exercise of its licensing functions. This section further provides that the Licensing Authority must keep its policy under review and make such revisions to it, at such times, as it considers appropriate.
- 1.2 On 25 April 2012, the Licensing Act 2003 was amended by the Police Reform and Social Responsibility Act 2011. These amendments made parts of the Council's current Statement of Licensing Policy incorrect.
- 1.3 On 25 June 2012, the Committee considered a draft Statement of Licensing Policy that had been updated to take account of the amendments to the legislation. The Committee resolved to:  
*Incorporate those changes to the Statement of Licensing Policy identified in Appendix A as amended and agree to commence the statutory consultation process.*
- 1.4 A 12 week consultation process took place between 26 June 2012 and 17 September 2012 and the responses received are set out in Appendix A. These have been considered and where appropriate, incorporated in to the draft policy. The post-consultation draft of the policy is attached to the report as Appendix B.
- 1.5 Any proposed revision to the Statement of Licensing Policy will be referred to full Council for consideration and adoption.

## 2. **RECOMMENDATIONS**

### 2.1 Members are recommended:

To endorse the post-consultation draft Statement of Licensing Policy shown in Appendix B and recommend to full Council that the policy is adopted from 25 October 2012.

## 3. **BACKGROUND**

### 3.1 On 25 April 2012, the Police Reform and Social Responsibility Act 2011 amended the Licensing Act 2003 as follows:

3.1.1 The Licensing Authority and Primary Care Trust became responsible authorities;

3.1.2 The vicinity test for those who make a representation was removed and 'interested parties' became 'other persons';

3.1.3 The evidential burden on Licensing Authorities has been reduced, so instead of the Sub-Committee having to take 'necessary steps' to promote the licensing objectives when determining an application, they must now take 'appropriate steps' to promote the licensing objectives;

3.1.4 A Late Temporary Event Notice may now be accepted up to 5 working days prior to the event instead of 10 working days, and the Environmental Protection Team are now a consultee for all Temporary Event Notices received by Cambridge City Council in addition to the Chief Officer of Cambridgeshire Constabulary. The time limits for temporary event notices have also been relaxed such that an event may last for up to 168 hours instead of 96 hours and events may now take place on no more than 21 days in a calendar year, instead of 15 days;

3.1.5 A Premises Licence or Club Premises Certificate must be suspended for non-payment of the statutory annual fee unless the amount payable is disputed, or non-payment is due to an administrative error in which case, a 21 day grace period is provided; and

3.1.6 The Statement of Licensing Policy must now be reviewed at 5 yearly intervals instead of 3 yearly intervals.

### 3.2 A draft Statement of Licensing Policy that had been updated to reflect the amended legislation was considered by the Licensing Committee on 25 June 2012. The Committee agreed that, subject to a number of amendments, the draft policy should undergo consultation to enable a final policy to be determined.



3.3 The post-consultation draft policy is attached to the report as Appendix B.

## **4. CONSULTATIONS**

4.1 Consultation on the draft policy took place between 26 June 2012 and 17 September 2012 and the responses received are shown in Appendix A.

4.2 The responses refer to a perceived flaw in the legislation, namely the inability to address adequacy when determining applications, which the responder considers is the primary cause of increased violent crime and antisocial behaviour within parts of Cambridge. The Council cannot change primary legislation through local policy and therefore this has not been incorporated in to the policy.

4.3 There is also reference to an omission of a definition of vicinity in the policy. The legislative amendments mean that there is no longer a need for those making representation to live within the vicinity of the premises and the draft policy that was subject to consultation reflected this.

4.3 No changes to the draft policy have therefore been made in light of the consultation responses.

## **5. OPTIONS**

5.1 The Committee may resolve to:

5.1.1 Endorse the post-consultation draft Statement of Licensing Policy shown in Appendix B and recommend to full Council that the policy is adopted from 25 October 2012.

5.1.2 Communicate the changes to the public and to interested groups by use of the Council's website.

## **6. CONCLUSIONS**

6.1 Cambridge City Council has a duty to determine and publish a Statement of Licensing Policy. The amendments made to the Licensing Act 2003 by the Police Reform and Social Responsibility Act 2011 mean that parts of the policy are incorrect. A revised Statement of Licensing Policy therefore needs to be determined by the Council.

## **7. IMPLICATIONS**

(a) **Financial Implications**

The review of the Statement of Licensing Policy is a statutory function. The cost of consultation will be covered by the fees paid by Licence and Certificate holders.

(b) **Staffing Implications**

Existing staff resources will apply the policy once adopted.

(c) **Equal Opportunities Implications**

This is a statutory policy and it promotes equal opportunities. The policy does not prohibit any person from making an application or objecting to an application where they have a statutory right to do so.

(d) **Environmental Implications**

There are no apparent environmental implications that will result from the adoption of the policy.

(e) **Community Safety**

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 (prevention of crime & disorder, ensuring public safety, prevention of public nuisance and protection of children from harm).

## **APPENDICES**

### Appendix A

Consultation responses

### Appendix B

Post-consultation Draft Statement of Licensing Policy

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

- [Licensing Act 2003](#)
- [Police Reform and Social Responsibility Act 2011](#)
- [Guidance Published by the Secretary of State under section 182 of the Licensing Act 2003](#)
- [Cambridge City Council's Existing Statement of Licensing Policy](#)

The author and contact officer for queries on the report is Yvonne O'Donnell on extension 7956.

Report file:

Date originated: 16 October 2012

Date of last revision: 16 October 2012

## Appendix A – Consultation Responses

Date Received	Type of Responder	Response
08/08/12	Member of public	<p>I have reread the document and find weaknesses of the legislation (Act 2003) derive directly from the 'relaxation' which it sought to introduce, a gap between the intent and the reality which determines activities affecting the four licensing objectives and which has led to the identification of three Cumulative Impact Zones, contiguous with the residential areas of Petersfield. After the City Centre, Petersfield (Mill Road) is significantly higher than any other ward, including the Leisure Park. There is a direct correlation between the number of outlets and the levels of Violent Crime and Anti-social Behaviour, as experienced by residents and evidenced in the statistics of the Police statement included.</p> <p>The clear intention to allow the market to decide 'adequacy / need' is a failure to understand the relationship between competition, to maximise profit from sales of alcohol, and the obligations of licensees to deny sale 'to the already inebriated', which underlies levels of anti-social behaviour across the area, just as the omission of a 'definition of vicinity' denies the impact of such sales is, in reality, wider than the immediate locality of business premises involved.</p> <p>Paragraphs 4.2 to 5.3 contain an internal flaw of logic, avoidance of a correlation which has persisted from the time when adequacy was an issue for the Magistracy.</p> <p>Until this is addressed, the direct experience of residents will require the unvarying local setting of priorities to deal with substance abuse, of which the consumption of alcohol is part. While much of this document is concerned with aspects of the night time economy, the reality of a Leisure Society operating 24 hours / Seven Days a Week, street drinking is largely a day time delinquency as great as Binge Drinking by night and more likely to be witnessed by children which the legislation sets out to protect.</p>
06/09/12	Residents Society	<p>Our committee - Highsett House Residents Society - is very much in favour of the four licensing objectives set out in your letter and we were glad to note that you have upheld them in refusing to grant</p>

		extended licensing hours to the new Tesco Express on Hills Road / Glisson Road.
15/9/12	Park Street Residents Association	<p>Section 5. Cumulative impact</p> <p>We note that the Licensing Authority has received representations from Cambridge Police that within the city centre a high concentration of licensed premises has produced a detrimental impact upon the licensing objectives. We therefore welcome the fact that the Authority has, in the draft policy, continued to adopt a special policy relating to cumulative impact for the city centre.</p> <p>We are dismayed to note that, despite the presumption against grant of a licence (or variation of an existing licence), unless relevant representation is received, the application must be granted. This places an unreasonable burden on residents to try and monitor applications for new licences and applications to vary existing licences in the city centre. The notices that are required by law to be displayed are sometimes very hard to spot and on occasion have not been obviously displayed at all.</p> <p>This also applies to decisions about conditions attached to licences (para 8.2) where the draft policy states that the Licensing Authority may only attach conditions to a licence if relevant representations have been received.</p> <p>However we warmly welcome the fact that the Licensing Authority itself has now become a responsible authority and is therefore able to make representations when an application is received. We very much hope that the Authority will take into account the likely effect on local residents of any licence application. Is it too much to ask that local residents be informed when an application for a new licence or for variation of an existing licence is received by the Licensing Authority?</p> <p>We note the statement in para 5.16 that 'Once away from the licensed premises, a minority of consumers will behave badly and unlawfully' and the list of other mechanisms, both within and outside the licensing regime that are available for addressing such issues. However none of them appear to get at what seems to be the root cause of this problem - the existence of a number of vertical drinking establishments whose aim is to get their customers to drink as much</p>

		<p>as possible, as fast as possible for as long as the premises are open.</p> <p>Section 6. Licensing hours</p> <p>We welcome the inclusion of the statement at the end of para 6.1 about the rights of local residents to peace and quiet but doubt if this will ever be achieved while the vertical drinking establishments referred to above continue to operate.</p> <p>Section 10. Licence Reviews</p> <p>We welcome the inclusion of details relating to the review of licenses and agree that such a review, if carried out in a sufficiently rigorous manner, should provide a key protection for the community.</p>
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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.

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 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.
- 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.



### **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
  - the child protection agency
  - 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 The Licensing Authority has received representations from Cambridgeshire Constabulary that within the Cambridge Leisure Park, Cambridge City Centre, Mill Road and Hills Road areas, a high concentration of licensed premises has produced a detrimental impact upon the licensing objectives.
- 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 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 and ample taxi ranks
  - powers to designate parts of the city as places where alcohol may not be consumed publicly
  - 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 There are a great variety of premises for which licences may be sought including theatres, cinemas, restaurants, pubs, nightclubs, cafes, take aways, 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.

- 7.2 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.
- 7.3 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.
- 7.4 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.
- 7.5 In the case of premises which are used for film exhibitions conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.
- 7.6 The Licensing Authority recognises the Office of Children and Young People's Services (Social Care) of Cambridgeshire County Council as being competent to advise on matters relating to the protection of children from harm.

- 7.7 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 Crime Prevention: conditions attached to premises licences and club premises certificates will, so far as possible, reflect local crime prevention strategies e.g. the use of closed circuit television cameras in certain premises.
- 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, planning, transport, tourism, race equality and equal opportunity 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 Transport: 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 Tourism, employment, planning and building control: 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 Cultural strategies: 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 the 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 Promotion of Racial Equality: The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination; and to promote equality of opportunity and good relations between persons of different ethnicity.
- 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, 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](http://www.cambridge.gov.uk)

## **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 on 24th October 2012.
- 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 24th October 2017, 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, Refuse and Environment Service,  
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 08:00- 18:00)

- 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 <http://www.cambridge.gov.uk/ccm/navigation/business/licensing-and-permissions/beer-and-entertainment-licensing/>
- 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, Refuse and Environment Service, 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**

The Chief Fire Officer, Cambridgeshire Fire & Rescue Service,  
Cambridge Fire Station, Parkside, Cambridge, CB1 1JF.  
Attention: Licensing  
Telephone: 01223 376200 Fax: 01223 376229

**Health & Safety**

The Food & Occupational Safety Team, Refuse and Environment  
Service, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH  
Telephone: 01223 457900 Fax: 01223 457909  
e-mail: [env.services@cambridge.gov.uk](mailto:env.services@cambridge.gov.uk)

or for relevant premises

The Health & Safety Executive (HSE), Woodlands, Manton Lane,  
Manton Lane Industrial Estate, Bedford, MK41 7LW  
Telephone: 0845 345 0055 Fax: 01234 220633  
e-mail: [formsadmin.Luton@hse.gsi.gov.uk](mailto:formsadmin.Luton@hse.gsi.gov.uk)

**Planning**

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

Telephone: 01223 457100 Fax: 01223 457109

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

**Environmental Protection**

The Environmental Health Manager, Refuse and Environment Service,  
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**

Audit Manager, Child Protection and Review Unit, Licensing  
Applications, PO Box CC1010, Room C007, Castle Court, Shire Hall,  
Cambridge, CB3 0AP

Telephone: 01223 706380 Fax: 01223 475965

**Trading Standards**

Cambridgeshire County Council, PO Box 450, Cambridge City,  
CB3 6ZR

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

**Local Authority Responsible for Public Health**

Head of Public Health Programmes, Oak Tree Centre, Public Health  
G49, 1 Oak Drive, Huntingdon, Cambridgeshire, PE29 7HN

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

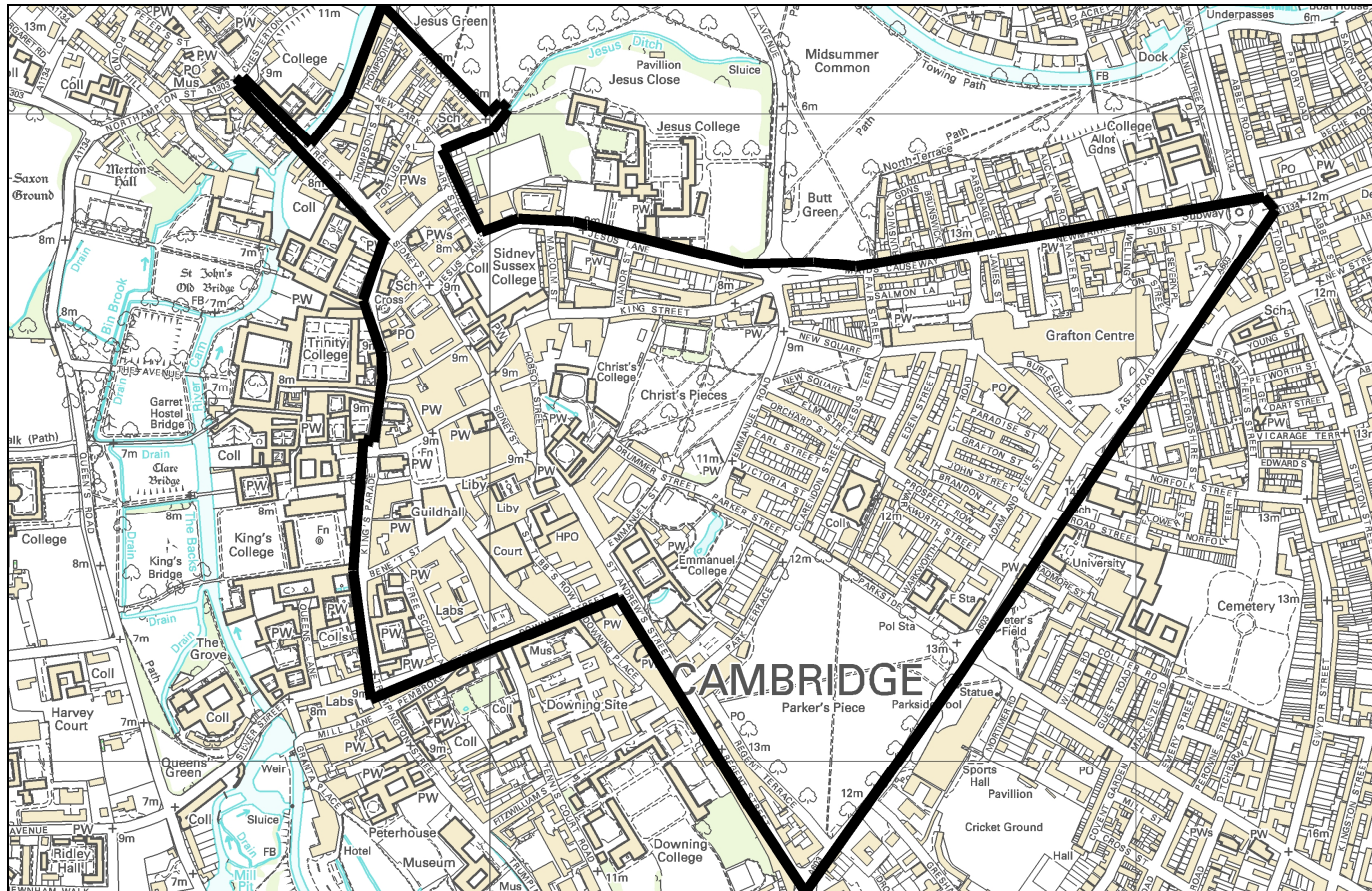
Telephone/Fax 01223 863785

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 2 - Cumulative Impact Area: Cambridge Leisure Park



## Appendix 3 – Evidence on Special Policy on Cumulative Effect

Mrs Christine Allison  
The Licensing Officer  
Environmental Services  
Mandela House  
4 Regent Street  
Cambridge CB2 1BY

1<sup>st</sup> September 2010

Dear Mrs Allison



Creating a safer  
**Cambridgeshire**

### **Licensing Act 2003 - Response to Consultation on the review of the Statement of Licensing Policy and the inclusion of a Cumulative Impact Policy**

I write in response to the above consultation. Having considered the available evidence I strongly recommend that the Licensing Authority continues the adoption of the existing cumulative impact areas of the Cambridge City Centre, Cambridge Leisure Park and Mill Road. In these areas a high concentration of licensed premises has continued to have a negative impact upon the Licensing Objectives, in particular the prevention of crime and disorder, public safety, and the prevention of public nuisance.

Furthermore, following local concerns, additional analytical work has been conducted regarding Hills Road, specifically in relation to the length of Hills Road between the junctions of Regent Street and Purbeck Road. The analysis highlights that although the whole of Hills Road has a relatively low density of licensed premises and alcohol-related crime and anti-social behaviour, the majority (94%) of the licensed premises and alcohol-related crime and anti-social behaviour (94%) fall within the section of Hills Road running from the City to Purbeck Road. Hills Road now has a higher percentage of alcohol-related offences than Mill Road and over twice the amount of alcohol-related anti-social behaviour than Cambridge Leisure Park, even though it has a lower density of licensed premises.

It is therefore requested that the section of Hills Road running from the City to Purbeck Road is considered for adoption as a Cumulative Impact Area.

The document attached supports the statement that Cambridge City Centre, Cambridge Leisure Park, Mill Road and Hills Road areas are subject to high levels of alcohol related disorder, violent crime and anti-social behaviour, and that this impact is linked to the concentration of licensed premises.

I am confident that the adoption of those areas within the licensing policy will assist our continued work in partnership to create a safer, pleasant, environment for those working, living, and visiting our city.

Yours Sincerely

Rob Needle  
Chief Superintendent  
Divisional Commander





Creating a safer  
**Cambridgeshire**

# Cambridge City Cumulative Impact Policy Review 2010

V3



## Background

The Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. They are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In areas where there is a significant concentration of licensed premises and there is sufficient evidence of negative impact on the statutory objectives The Licensing Act gives provision for the adoption of a Cumulative Impact Policy. The effect of adopting such a policy is to create a rebuttable presumption that applications for new premises licenses or major variations will be refused if representations are made about the likely impact of the proposals on the licensing objectives. This effectively requires the applicant to demonstrate that the operation of the premises involved will not add to the cumulative impact already being experienced.

In 2007 Cambridge City Council Licensing Committee adopted a Cumulative Impact Policy covering areas of Cambridge City Centre, Mill Road and Cambridge Leisure Park.

### *Purpose*

The purpose of this report is to review whether there are ongoing significant levels of crime and disorder that can be reasonably attributed to a high concentration of licensed premises within the Cumulative Impact Area and subsequently recommend whether any changes need to be made to the current area boundaries.

### *Methodology & Data Sources*

The location of all licensed premises in Cambridge City was sourced from the licensed premises database by PC Pete Sinclair licensing officer. Licensed premises analysed included premises licensed for the sale of alcohol (licensed public houses, restaurants, off-licences, café/take-aways, leisure/cinema/sports, clubs, wine bars, schools/colleges and hotels) and premises with a late night refreshment license. The licensed premises were mapped enabling the concentration of premises and proximity to crime and disorder hotspots to be ascertained.

The following data sets were extracted from the Force data warehouse using i2 workstation:

- Cambridge City violent crime<sup>1</sup> and criminal damage offences and anti-social behaviour incidents which occurred between 01/04/2007 and 31/03/2010.
- Alcohol related<sup>2</sup> Cambridge City violent crime and criminal damage offences and anti social behaviour incidents which occurred between 01/04/2007 and 31/03/2010.

These records were then mapped using Blue 8 software to show the locations of the highest concentrations of offences and incidents in Cambridge City.

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<sup>1</sup> Throughout this document violent crime includes public order and affray offences.

<sup>2</sup> Alcohol – related offences and disorder were measured using an i2 query searching notes for keywords of 'alcohol', 'drinking', 'drunk' or 'intoxicated'.

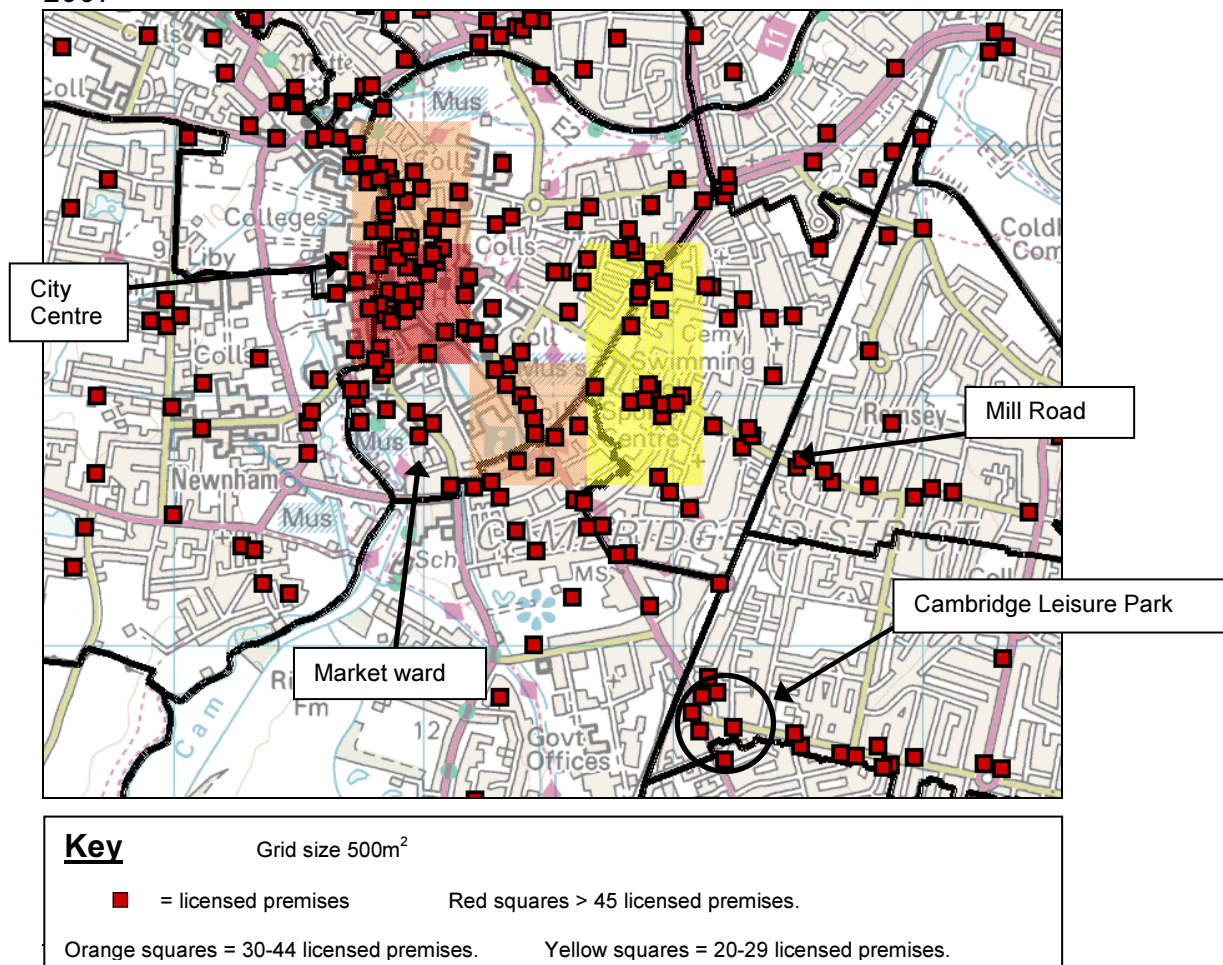
### 1. Licensed Premises in Cambridge City Overview

At the time of writing<sup>3</sup> there are 522 licensed premises<sup>4</sup> within Cambridge City. Market ward has the highest number, 173 (33%), and density, 1.0 per hectare, of licensed premises.

Fig. 1 Number and density of licensed premises with Cambridge City by ward

Beat	Number	%	Area (hectares)	Density per hectare
Market	173	33%	169	1.0
Petersfield	60	11%	105	0.6
West Chesterton	33	6%	152	0.2
Coleridge	32	6%	192	0.2
Romsey	21	4%	148	0.1
Arbury	18	3%	149	0.1
Castle	34	7%	341	0.1
Newnham	41	8%	443	0.1
Kings Hedges	12	2%	157	0.1
East Chesterton	14	3%	260	0.1
Abbey	20	4%	393	0.1
Trumpington	36	7%	730	0.0
Cherry Hinton	17	3%	367	0.0
Queen Ediths	10	2%	450	0.0

Fig.2 Licensed premises within Market ward and surrounding area August 2007



<sup>4</sup> This includes licensed public houses, restaurants, off-licences, café/take-aways, leisure/cinema/sports, clubs, wine bars, and hotels. This does not include betting shops, amusement arcades, conference centres, village/community halls and 'other' licensed premises.

The map of licensed premises in Figure 2 illustrates that the majority of the licensed premises in Market ward are clustered in the area bounded by Sidney Street, Kings Parade and Benet Street. There is also a high density of licensed premises along Regent Street and St Andrews Street and along East Road. These areas fall within the current City Centre Cumulative Impact Area.

Figure 4 overleaf shows a more detailed map of the City with the current Cumulative Impact Area and licensed premises shown. The numbers of licensed premises in each particular location are marked on the map. This illustrates the Cumulative Impact Area locations of City Centre, Mill Road and Cambridge Leisure Park cover the areas of high density of licensed premises. There are however also several areas identified through mapping not included in the current Cumulative Impact Area that have a relatively high density of licensed premises as shown in the table below.

Fig. 3 Number and density of licensed premises within current CIA and other areas.

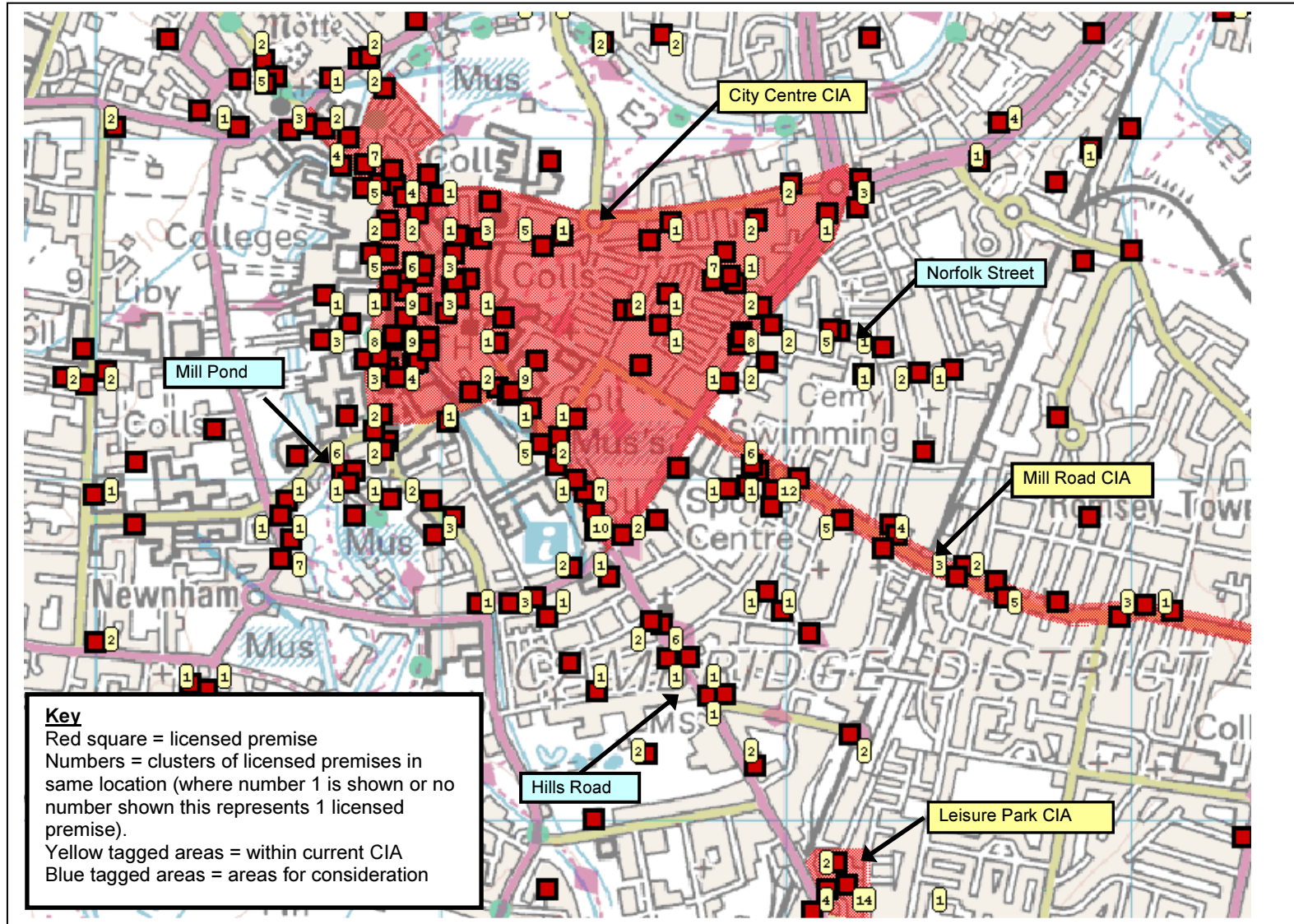
Type	Areas	Number licensed premises	% of total City	Area (hectares)	Density per hectare
Sector	Cambridge City	522	100%	4070	0.1
Ward	Market Ward	172	33%	169	1.0
Current Cumulative Impact Area	City Centre	173	33	89	2.0
	Mill Road	40	8	10	4.0
	Leisure Park	17	3	3	5.7
Other areas with high density of licensed premises	Hills Road <sup>5</sup>	17	3	19	0.9
	Norfolk Street	7	1	1	7.0
	Mill pond area	10	4	4	2.5

These other high licensed premises density areas will also be reviewed within this document to establish whether there is a high level of alcohol related crime and disorder that can reasonably be attributed to the presence of licensed premises. Consideration can subsequently be given to including them within the Cumulative Impact Area.

<sup>5</sup> Not including Addenbrookes.



Fig. 4 Map to show licensed premises in and around current Cambridge City Cumulative Impact Area



## 2. Violent crime and anti-social behaviour in Cambridge City overview

Over the past three years total violent crime and anti-social behaviour has decreased<sup>6</sup> in Cambridge City. Alcohol-related violent crime has however risen. In 2009/10 39% of violent crime was classified as alcohol-related compared to 25% in 2007/08. Some of this increase may be due to improved recording of alcohol-related offences.

Alcohol related anti-social behaviour has fallen however the percentage of total anti-social behaviour that is alcohol-related has slightly increased.

This illustrates that alcohol-related crime and disorder is a continuing problem within Cambridge City.

*Fig. 5 Table to show violent crime offences and anti-social behaviour incidents occurring in Cambridge City between 07/08 and 09/10.*

Offence/incident	2007/08	2008/09	2009/10	% change 2007/08 to 2009/10
<b>Violent crime</b>	2952	2804	2519	- 15%
<b>Anti-social behaviour</b>	10675	10227	8686	-19%
<b>Alcohol-related violent crime (% of total violent crime)</b>	727 (25%)	832 (30%)	976 (39%)	+ 34% (+ 14%)
<b>Alcohol-related ASB (% of total ASB)</b>	2372 (22%)	2391 (23%)	2080 (24%)	-12% (+2%)

The grid analysis below indicates the main hotspot for alcohol-related violent crime and anti-social behaviour over the past three years was the City Centre area. The hotspots identified through this grid analysis all fall within the current City Centre cumulative impact area<sup>7</sup>.

*Fig.. 6 Grid analysis of alcohol-related violent crime and anti-social behaviour in Cambridge City 07/08 to 09/10.*

<sup>6</sup> Offences and incidents are taken from data warehouse based on date occurred.

<sup>7</sup> The hotspots shown by the yellow and lower orange square are caused by the high density of alcohol related crime and disorder along Regent Street and St Andrews Street and therefore do fall within the City Centre CIA area.

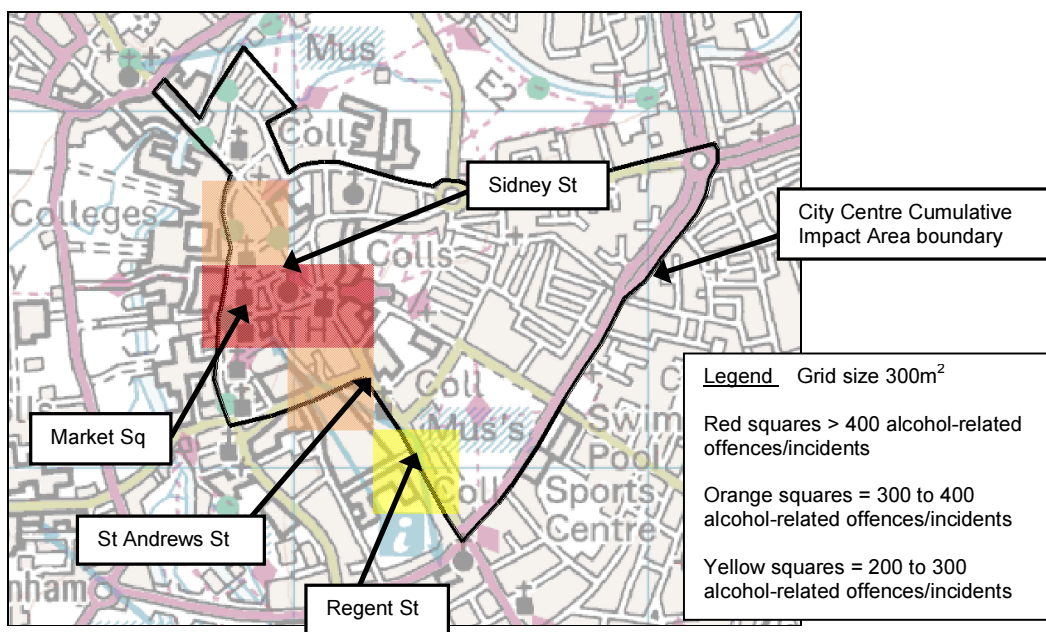


Fig. 7 Table to show violent Crime and anti-social behaviour 2009/10 by area.

		VIOLENT CRIME			ANTI-SOCIAL BEHAVIOUR		
		Violent Crime	Density <sup>8</sup>	3 year trend <sup>9</sup>	ASB	Density	3 year trend
<b>Sector</b>	Cambridge City	2519	0.6	↓	8685	2.1	↓
<b>Ward</b>	Market Ward	835	4.9	↓	1759	10.4	↓
<b>Current CIA</b>	City Centre	820	9.2	↓	1613	18.1	↓
	Mill Road	62	6.2	↓	195	19.5	↓
	Leisure Park	30	10.0	↑	41	13.7	↓
	Total current CIA	912	8.9	↓	1849	18.1	↓
<b>Other areas with high density of licensed premises</b>	Hills Road <sup>10</sup>	22	1.2	↓	97	5.1	↓
	Norfolk Street	3	3.0	=	29	29.0	=
	Mill Pond Area	6	1.5	↓	38	9.5	↓

<sup>8</sup> Offences/incidents per hectare.

<sup>9</sup> 3 year trend is measured as the difference between 2009/10 and 2007/08 figures. If difference is > or < 5% and/or 5 incidents then an arrow illustrating the direction of change is shown.

<sup>10</sup> Not including Addenbrookes.



Fig. 8 Table to show alcohol-related violent crime and anti-social behaviour 2009/10 by area.

		VIOLENT CRIME			ANTI-SOCIAL BEHAVIOUR			TOTAL ALCOHOL RELATED		
		Violent Crime	Density	3 year trend	ASB	Density	3 year trend	Total	Density	3 year trend
<b>Sector</b>	<b>Cambridge City</b>	976 (39%)	0.2	↑	2080 (24%)	0.5	↓	3056 (27%)	0.8	=
<b>Ward</b>	<b>Market Ward</b>	405 (49%)	2.4	↑	750 (43%)	4.4	↓	1155 (45%)	6.8	=
<b>Current CIA</b>	<b>City Centre</b>	356 (43%)	4.0	↑	670 (42%)	7.5	↓	1026 (42%)	11.5	=
	<b>Mill Road</b>	18 (29%)	1.8	↓	55 (28%)	5.5	↓	73 (28%)	7.3	↓
	<b>Leisure Park</b>	10 (33%)	3.3	↑	14 (34%)	4.7	↓	24 (34%)	8.0	=
	<b>Total current CIA</b>	384 (42%)	3.8	↑	739 (40%)	7.2	↓	1123 (41%)	11.0	↓
<b>Other areas with high density of licensed premises</b>	<b>Hills Road<sup>10</sup></b>	8 (36%)	0.4	=	33 (34%)	1.7	=	41 (34%)	2.2	=
	<b>Norfolk Street</b>	2 (67%)	2.0	=	15 (52%)	15.0	↑	17 (53%)	17.0	↑
	<b>Mill Pond Area</b>	5 (83%)	1.3	↓	25 (66%)	6.3	↑	30 (68%)	7.5	=

The tables in Fig 8 & 9 show violent crime and ASB data and alcohol-related offences/incidents for the identified areas. This data will be analysed in the following section where each geographical area will be considered in more detail.

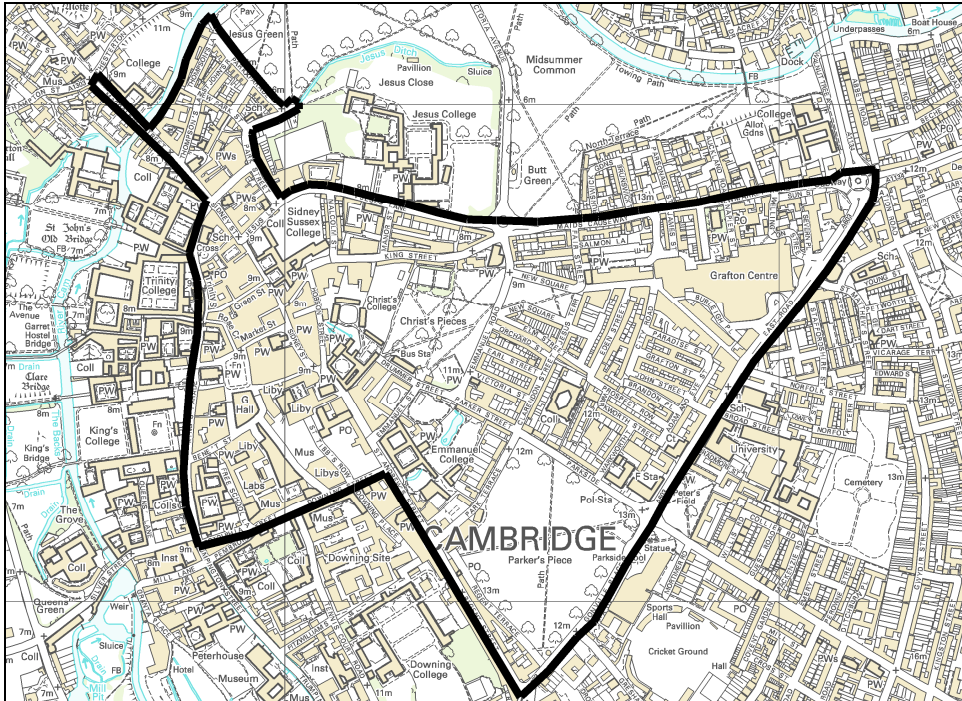
### 3. Analysis by area

#### 3.1 Current Cumulative Impact Area

##### **City Centre Cumulative Impact Area**

The area encompasses the main city centre area following the boundary of Gonville Place, East Road, Maids Causeway, Jesus Lane, Park Street, Pak Parade, Quayside, Magdalene Street, Kings Parade, Downing Street, St Andrews Street, and Regent Street. A comprehensive list of streets enclosed in the area can be found in Appendix A. The area includes both sides of the road boundaries.

Fig.9 Current City Centre Cumulative Impact Area



Of note the area contains:

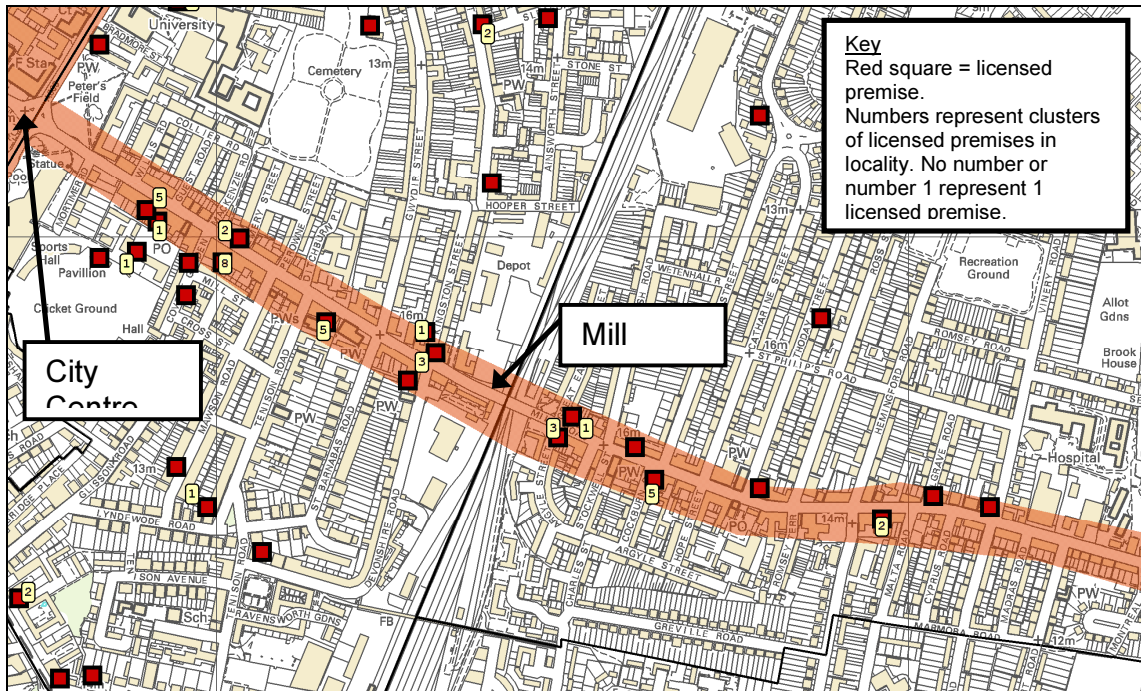
- 172 licensed premises in 89 hectares (2 premises per hectare).
- All of the City Centre nightclubs (6) – Ballare, Fez Club, Soul Tree, The Place, Niche (Pure), Kamar.
- 46 pubs/bars including large venues such as The Regal (Wetherspoons), B bar, Revolution, The Slug and Lettuce.
- 63 restaurants/cafes.
- 15 off licensed premises.
- 8 late night licensed take-aways including two fast food vans located on Market Square.
- The main taxi rank on Sidney Street.

Total violent crime and anti-social behaviour have reduced in this area over the three year period however alcohol-related violent crime has increased and offences involving alcohol make up a high percentage of the total violent crime and anti-social behaviour (42%). There is also a high density of alcohol-related crime and disorder (11.5 per hectare compared to 0.8 per hectare across Cambridge City). It is recommended this area remains as a Cumulative Impact Area.

### Mill Road Cumulative Impact Area

*Fig 10. Map to show Mill Road<sup>11</sup> and licensed premises in area*

<sup>11</sup> Shaded red area highlights Mill Road and does not illustrate boundaries of Cumulative Impact Area.

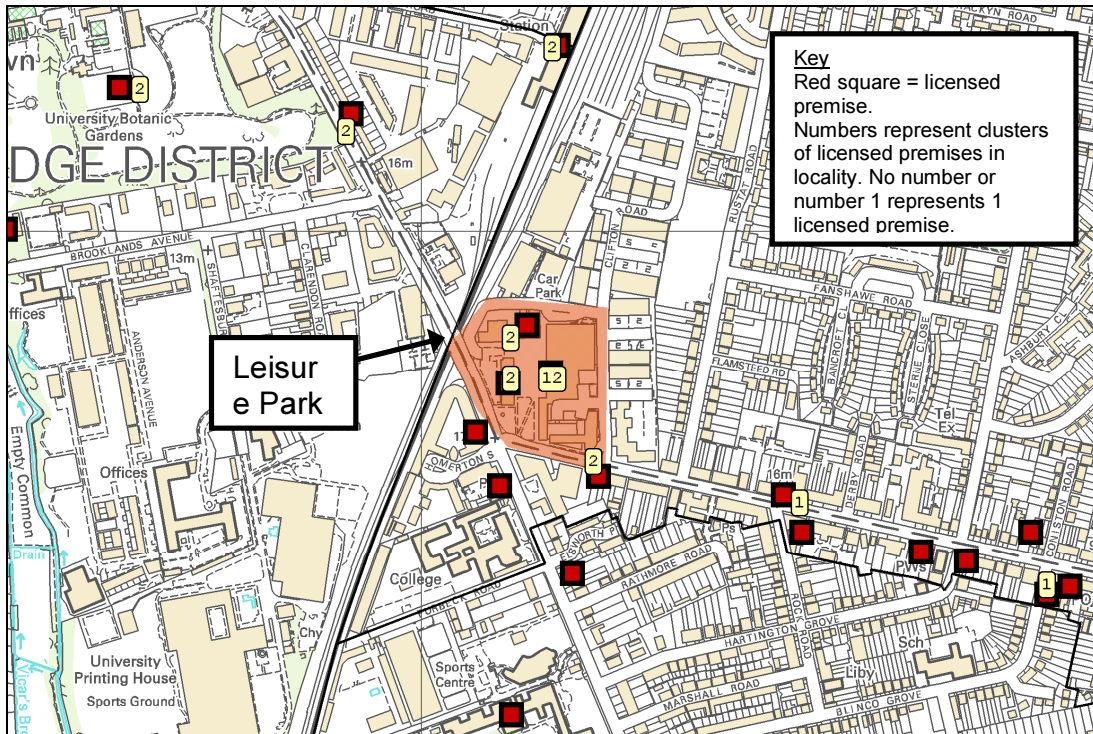


Mill Road is a busy thoroughfare into the City Centre. 42% of all licensed premises in Petersfield are on Mill Road (25). A further 15 licensed premises are located on the Romsey section of Mill Road. This gives Mill Road a total of 40 licensed premises and a high density of 4.0 licensed premises per hectare. The majority of these licensed premises are made up of off-licences (14), restaurants (12) and cafés/take-aways (7). There are also 4 public houses.

Total violent crime and anti-social behaviour and alcohol related offences have reduced over the three year period with Mill Road being the only area analysed to show a decrease in alcohol related violent crime and the lowest proportion of alcohol-related anti-social behaviour (28%, compared to 45% in City Centre CIA). This may be due to the robust policing strategy in the area to tackle historical problems of alcohol related crime. Although offence levels have decreased Mill Road still has a high level of total anti-social behaviour as well as a high density of licensed premises, particularly off-licences. It is recommended that Mill Road remains as a Cumulative Impact Area.

### Cambridge Leisure Park Cumulative Impact Area

Fig. 11 Map to show Cambridge Leisure Park and licensed premises in area



Cambridge Leisure Park has a particularly high density of licensed premises. The leisure park contains 17 licensed premises in an area of 3 hectares giving a density of 5.7 licensed premises per hectare.

The licensed premises are as follows:

- 1 nightclub - The Junction.
- 6 bars – Nusha, Travelodge, bowling alley, Cineworld, David Lloyd, Junction Theatre
- 8 restaurants/cafes.
- 1 kebab van located in bus lay-by outside Leisure Park on Cherry Hinton Road.
- 1 theatre – The Junction Theatre.
- 1 Off licence – Tesco Express

The Leisure Park is the only area analysed where total violent crime and alcohol-related violent crime has increased over the period. Although numbers of offences in the Leisure Park are relatively low in comparison to other areas (30 violent crime offences over past year) the density of offences per hectare is high (10 per hectare).

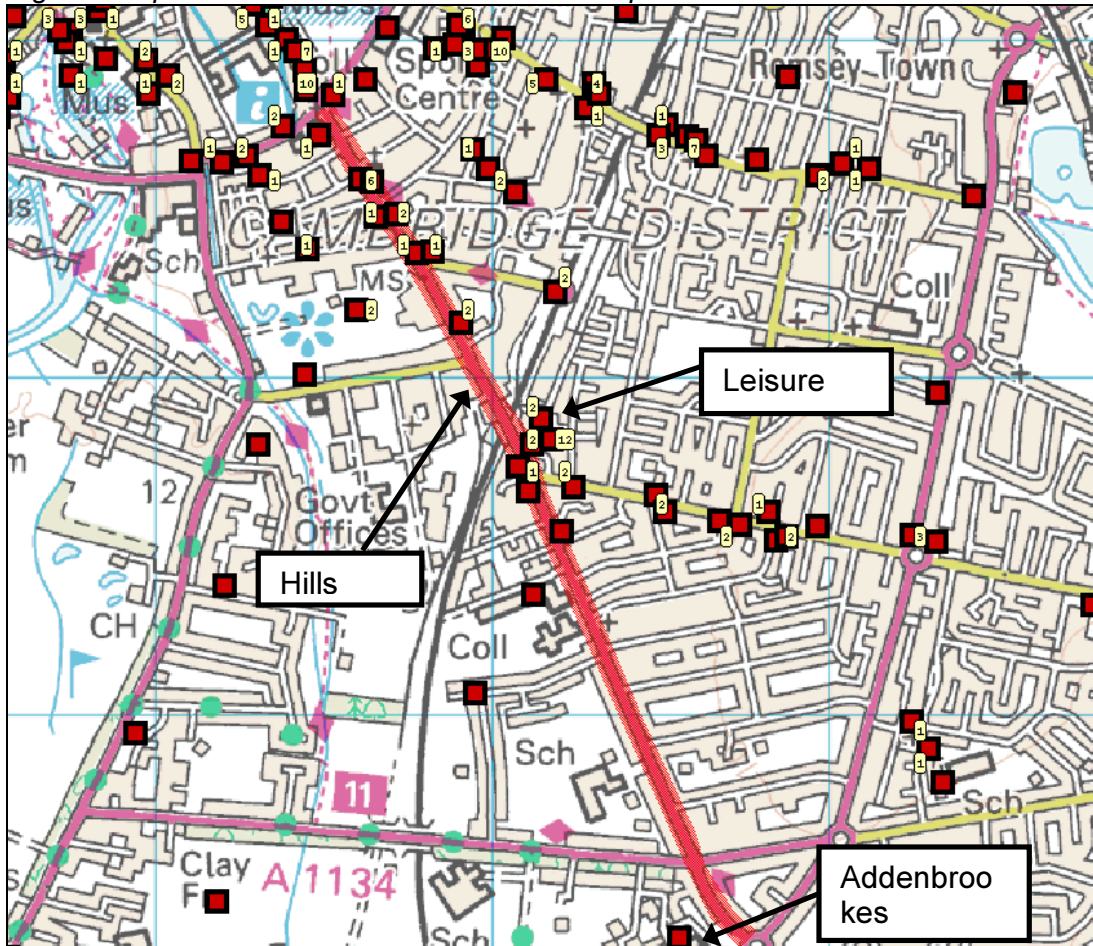
It is recommended that Cambridge Leisure Park remains as a Cumulative Impact Area. Due to the close proximity to the Leisure Park, and Hills Road<sup>12</sup> it is also recommended that the section of Cherry Hinton road opposite the leisure park (running from Hills Road to Clifton Road) is also included in the Leisure Park Cumulative Impact Area.

<sup>12</sup> See page 11.

### 3.2 Other areas for consideration

#### Hills Road

Fig. 12 Map to show Hills Road and licensed premises in area



Hills Road leads out of the City Centre to The Leisure Park and Addenbrookes Hospital and is a busy thoroughfare into and out of the City. For the purposes of this analysis licensed premises and offences/incidents occurring at Addenbrookes Hospital have been removed.

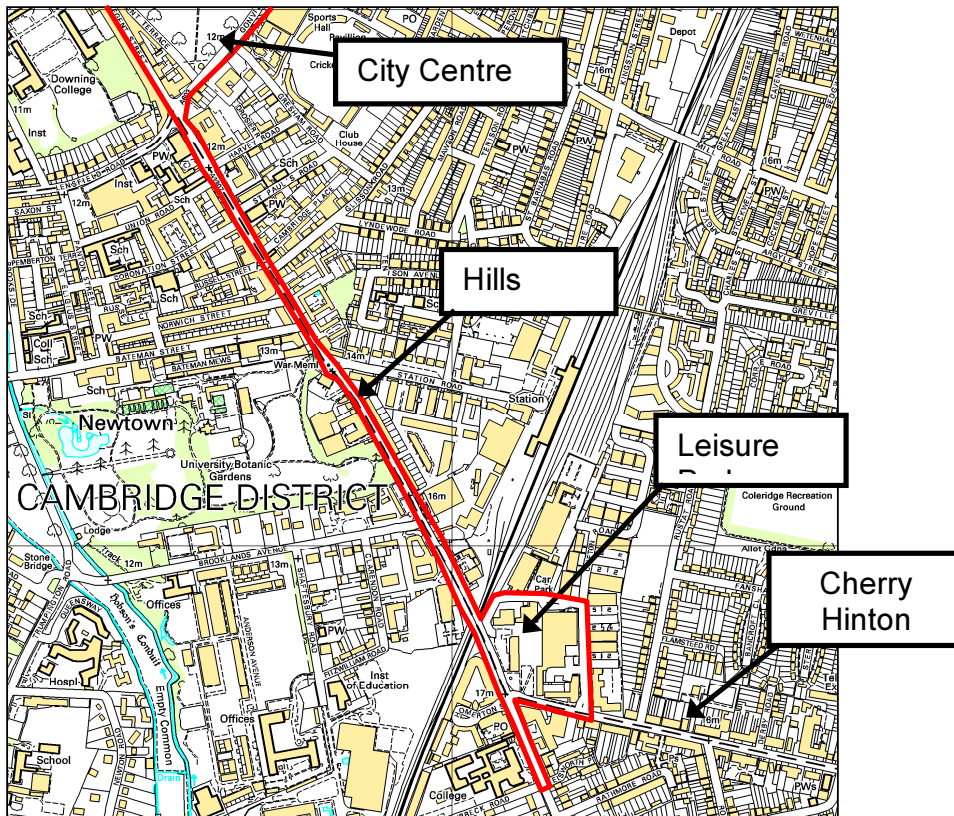
There are 17 licensed premises giving a density of 1.1 licensed premises per hectare which is a lower density than the other areas considered however still significantly higher than the density for Cambridge City of 0.1. There are 5 restaurant/cafés, 4 off-licensed premises, 4 pubs, 2 hotels, 1 social clubs and 1 college bar. The majority (13) of these premises are found within a short section of the road nearest to the City Centre.

Although Hills Road has a relatively low density of licensed premises and alcohol-related crime and anti-social behaviour it should be noted that the majority (94%) of the licensed premises and alcohol-related crime and anti-social behaviour (94%) fall within the section of Hills Road running from the City to Purbeck Road<sup>13</sup>. When this section of the

<sup>13</sup> See Figure 13.

road is analysed the density of licensed premises increases to 1.9 and the density of alcohol-related crime and anti-social behaviour to 4.

Fig. 13 Map to show section of Hills Road between City Centre and Purbeck Road



Alcohol-related violent crime and anti-social behaviour has remained stable over the 3 year period however notably Hills Road has a higher percentage of alcohol-related offences than Mill Road and over twice the amount of alcohol-related anti-social behaviour than the leisure park.

It is recommended that the section of Hills Road running from the City to Purbeck Road is considered for adoption as a Cumulative Impact Area.

### Norfolk Street

Fig. 14 Map to show Norfolk Street and licensed premises in area



Norfolk Street is situated off East Road and contains 7 licensed premises in a small area (1 hectare) giving a high density of 7 licensed premises per hectare. These consist of 3 off licensed premises, 3 restaurants and 1 pub.

Although Norfolk Street has a high density of licensed premises there were only 3 violent offences occurring on the street over the past year. The area has a high density of anti-social behaviour due to its short length however actual numbers of incidents are low. It is not recommended that Norfolk Street is considered for adoption as a Cumulative Impact Area.

#### **Mill Pond Area**

*Fig. 15 Map to show Mill Pond licensed premises in area*





## Appendix A

<b>Streets in suggested 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

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