

CAMBRIDGE CITY COUNCIL

REPORT OF: Jas Lally
Head of Refuse and Environment

TO: Licensing Sub-Committee

13/04/2015

WARDS: Queen Edith

CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED: QUEEN EDITH P.H, WULFSTAN WAY, CAMBRIDGE, CB1 8QN

1 INTRODUCTION

1.1 An application under section 17 of the Licensing Act 2003 for a Premises Licence to be granted in respect of Queen Edith P.H, Wulfstan Way, Cambridge, CB1 8QN has been received from Individual Pubs Limited. The application and plans of the premises are attached to the report as Appendix A. The application was served on Cambridge City Council (the Licensing Authority) on 18th February 2015. A copy of the application was also served on each responsible authority.

1.2 The applicant is seeking a new premises licence for the following:

Supply of Alcohol (On & Off the Premises)

Mon – Thurs	11:00 to 00:00
Fri – Sat	11:00 to 01:00
Sunday	12:00 to 23:00

Late Night Refreshment

Mon – Thurs	23:00 to 00:00
Fri – Sat	23:00 to 01:00

1.3 The applicant has indicated in section M of the application form (Appendix A) that the following steps will be taken to promote the four licensing objectives:

1. The person nominated as the Designated Premises Supervisor will join and actively support CAMBAC (Cambridge Businesses Against Crime) whilst it is in existence and support its aims and objectives.
2. The licence holder shall erect and maintain at every exit a clear and conspicuous notice requesting that customers shall be considerate of the needs of local residents when leaving the pub.
3. No Person under fourteen shall be in the bar of the licensed premises during the permitted hours for sale of alcohol unless any of the following applies:
 - (1) It is before 21:00 and they are accompanied by a responsible person aged 18 or above;
 - (2) They reside in the premises;
 - (3) They are in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

1.4 In accordance with the regulations of the Act, the application was advertised on the premises and in the Cambridge News to invite representations from responsible authorities and other persons. The last date for submitting representations was the 18 March 2015.

1.5 Representations have been received from 5 Other Persons. The representations are attached to the report as Appendix B. No representations were received from any of the Responsible Authorities but Environmental Health, Cambridge Constabulary and Trading Standards all agreed conditions with the applicant. The Environmental Health condition is the following:

“The placing of waste including bottles into receptacles outside the premises, and collections from and/or deliveries to the premises including the emptying of premises waste receptacles by waste contractors, shall only take place between the hours of 07:00 and 23:00 to minimize disturbance to nearby properties.”

The Police condition is the following:

“ A CCTV system shall be installed and maintained in working order at the premises. The system will record whilst the premises is open for licensable activities. All recordings shall be stored for a minimum period of one month with date and time stamping in accordance with GMT.

Recordings shall be made available to the Police or an authorised officer of the Local Authority upon reasonable request and where required will be downloaded in a readable format.

The Trading Standard condition is the following:

“The age verification policy will require that staff serving age restricted products check the ID of people who appear to be under the age of 25 before permitting the sale to proceed. A copy of the policy will be kept on the premises and made available to officers of Responsible Authorities on request.

Staff will be trained in the law about age restricted products before serving on the premises and refresher training will take place at least every 12 months. Records of training regarding age restricted products will be kept and made available to officers of Responsible Authorities on request.

A refusals register will be maintained to record instances where the sale of an age restricted product is refused and will be made available to officers of Responsible Authorities on request.”

The agreed conditions are attached to the report as Appendix C.

1.6 The application needs to be determined.

2. RECOMMENDATIONS

2.1 That Members’ determine the application on its individual merits having reference to the statutory licensing objectives and Cambridge City Council’s Statement of Licensing Policy.

3. BACKGROUND

3.1 The premises are not located within a cumulative impact area.

3.2 The Council’s Statement of Licensing Policy contains information on the cumulative impact.

3.3 A premises licence for this premises was surrendered in September 2013.

3.4 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy and additionally the statutory guidance issued under Section 182 of the Licensing Act 2003. The relevant sections from the Council’s Statement of

Licensing Policy are:

- Objectives, section 2
- Fundamental principles, section 4
- Licensing Hours, section 6
- Licence Conditions, section 8

4. CONSULTATIONS

- 4.1 The Licensing Act 2003 requires applications made under section 17 of the Act to be served on the Responsible Authorities and also advertised on the premises and in a local newspaper circulating within the vicinity of the premises. During the consultation period, Responsible Authorities and Other Persons (any individual, body or business entitled to make representations to licensing authorities) may make a representation in respect of the application.
- 4.2 Statutory consultation has therefore taken place with Responsible Authorities and interested parties in accordance with the procedures set out in the Licensing Act 2003 and associated regulations made under the Act.

5. OPTIONS

- 5.1 Whilst having reference to the information provided by the applicant and the interested party and also Cambridge City Council's Statement of Licensing Policy, the Sub-Committee's decision must be made with a view to promoting one or more of the four licensing objectives, namely:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 5.2 Members should take such steps that they consider are necessary for the promotion of the licensing objectives. The Sub-Committee may resolve:
- (a) to grant the licence subject to the mandatory conditions and those conditions offered by the applicant which may be modified to such extent as the authority considers necessary for the promotion of the licensing objectives,
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) to refuse to specify a person in the licence as the premises supervisor;
 - (d) to reject the application.

5.3 Members must give reasons for their decision.

6. CONCLUSIONS

6.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote the Licensing Objectives. Each objective has equal importance. In carrying out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, and the Statutory Guidance under the Licensing Act 2003 and it 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.

7. IMPLICATIONS

a) Financial Implications

Cambridge City Council (the Licensing Authority) has a statutory duty to determine applications made under the Licensing Act 2003. The application fees associated with such applications are set by Central Government and are intended to cover the cost of administering the licensing regime.

There are no specific financial implications associated with this report.

(b) Staffing Implications

There are no staffing implications associated with this report.

(c) Equal Opportunities Implications

No Equality Impact Assessment has been conducted as the only consideration in reaching a decision is whether the granting of the application will undermine the statutory licensing objectives.

(d) Environmental Implications

Any environmental implications that need to be considered must specifically relate to the promotion of the statutory licensing objectives and will be contained in the representations made by the responsible authorities or interested parties.

(e) Community Safety

Cambridge Constabulary, Cambridgeshire Fire & Rescue Service, Cambridge City Council's Environmental Health Team, Cambridge City Council's Planning Service, Cambridgeshire County Council's Child Protection & Review Unit, Cambridgeshire County Council's Trading Standards Department and the Public Health Director were consulted as part of the application process and could have made representation if it was considered that the granting of the application would undermine one or more of the statutory licensing objectives.

Those making representations would have raised any relevant community safety implications.

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

[Licensing Act 2003](#)

[The Licensing Act 2003 \(Premises licences and club premises certificates\) Regulations 2005](#)

[Guidance issued under section 182 of the Licensing Act 2003](#)

[The Council's Statement of Licensing Policy](#)

To inspect these documents either view the above hyperlinks or contact Luke Catchpole on extension 7818

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Report file:

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