

CAMBRIDGE CITY COUNCIL

REPORT OF: Yvonne O'Donnell
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TO: Licensing Sub-Committee

21/12/2015

WARDS: Castle

CONSIDERATION OF AN APPLICATION TO REVIEW A PREMISES LICENCE: STEVENSONS FLOATING RIVER BAR, STREET RECORD, QUAYSIDE, CAMBRIDGE

1 INTRODUCTION

- 1.1 An application under section 51 of the Licensing Act 2003 for a Review of a Premises Licence in respect of Stevensons Floating River Bar, Street Record, Quayside, Cambridge has been received from The Conservators of the River Cam. The application, which is attached to the report as Appendix A was served on Cambridge City Council (the Licensing Authority) on 8 October 2015. A copy of the application was also served on each responsible authority.
- 1.2 The applicant is seeking a review of the premises licence for the reasons outlined in the application (Appendix A).
- 1.3 In accordance with the regulations of the Act, the application was advertised on the premises and at the Licensing Authority Office, Mandela House, 4 Regent Street, Cambridge, CB2 1BY to invite representations from responsible authorities and other persons. The last date for submitting representations was 24 November 2015.
- 1.4 Representations have been received from one Responsible Authority, Cambridge City Council Licensing Department. The representation is attached to the report as Appendix B.
- 1.5 The application is therefore yet 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 An application for a Premises Licence was granted in respect of these premises on 9th March 2012. The Premises Licence was transferred to the current licence holder, Sarah Stevenson, on 22nd August 2013. The current licence is attached to the report as Appendix C.
- 3.2 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 51 of the Act to be served on the Responsible Authorities and also advertised on the premises and at the main Licensing Authority office. 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 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 representations 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 leave the licence as it is;
- (b) to modify the conditions of the licence;
- (c) to exclude a licensable activity from the scope of the licence;
- (d) to remove the designated premises supervisor;
- (e) to suspend the licence for a period not exceeding three months;
- (f) to revoke the licence.

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added (Licensing Act 2003 section 52 (4)).

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 they supported the review of the premises licence.

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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