

**CONSIDERATION OF AN APPLICATION TO VARY A  
PREMISES LICENCE  
Cambridge Museum Of Technology,  
44 Cheddars Lane, Cambridge, CB5 8LD**

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**To: Licensing Sub Committee:**

**Report by: Alexander Nix (Senior Technical Officer)**

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**Wards affected: Abbey**

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## **INTRODUCTION**

- 1.1 An application under section 17 of the Licensing Act 2003 for a Premises Licence variation to be granted has been received in respect of the Cambridge Museum of Technology, 44 Cheddars Lane, Cambridge, CB5 8LD from Karen Bailey a trustee of the Cambridge Museum of Technology. The application was served on Cambridge City Council (the Licensing Authority) on 18<sup>th</sup> March 2019.
- 1.2 A copy of the application was also served on each responsible authority. The application and plans of the premises is attached to the report at **Appendix A & B**.

- 1.3 The applicant is seeking a variation of the premises licence to supply alcohol on the premises from 11:00 to 22:00 on Monday – Thursday, from 11:00 – 23:00 on Friday and Saturday and 12:00 – 22:00 on Sunday. The premises currently has a licence that permits the supply of alcohol from 17:00 to 22:00 on Monday – Thursday, from 11:00 - 23:00 on Friday and Saturday and from 11:00 – 22:00 on Sunday which was granted in 2017. A copy of the existing premises licence is attached at **Appendix C**.
- 1.3 In accordance with the regulations of the Licensing Act 2003 (The Act) the variation was advertised on the premises on 21<sup>st</sup> March 2019 for 28 days and in the Cambridge News in order to invite representations from responsible authorities and other persons. The last date for submitting representations was 18<sup>th</sup> April 2019.
- 1.4 No representations were received from any of the Responsible Authorities including Cambridgeshire Police and Cambridge City Council Environmental Health. However a number of conditions had been agreed previously with them when the original premises licence was granted in 2017.
- 1.5 Representations were received from three other persons. Parts of the representations that were received were considered valid in accordance with the four licensing objectives contained within The Act. These representations are attached as **Appendix D**.
- 1.6 Two conditions were agreed on 18<sup>th</sup> April 2019, the last day of the representation period, with the applicant. This was in order to try and address the concerns raised in the representations. However those making the representations did not wish to withdraw them. A copy of the two agreed conditions are attached at **Appendix E**.
- 1.7 Following receipt of the valid representations received the application to vary the current premises licence therefore needs to be determined by members. The purpose of the licensing sub-committee is not to consider the existing premises licence that would need to be done separately through a review of the licence.
- 1.8 If members are minded to grant the variation then the two agreed conditions would be added to the premises licence along with any other conditions offered by the applicant within the operating schedule on the application. Members can also choose to add further conditions that are appropriate for the promotion of the licensing

objectives if so minded.

## **2. RECOMMENDATION**

- 2.1 That Members determine the variation 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 Cambridge Museum of Technology is not in a Cumulative Impact Zone. There is therefore no presumption to refuse any premises licence variation or application.
- 3.2 A number of events were held at the premises before the granting of the premises licence in 2017. There were no complaints about noise at the time of these events.
- 3.3 A premises licence application was originally received from the Cambridge Museum of Technology on 25<sup>th</sup> April 2017. This was granted after conditions were agreed with the responsible authorities and the receipt of no representations and was issued to the applicant on 23<sup>rd</sup> June 2017.
- 3.4 Since the granting of the premises licence a number of further events have been run at the premises. There have been no complaints about noise and this application, as stated above, concerns a variation to allow the supply of alcohol during the day.
- 3.5 A routine licensing inspection of the premises is also in the process of being arranged. It will include checks on compliance with their licensing conditions and the understanding of the management of the licensing objectives.
- 3.6 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
  - Cumulative impact, section 5

- 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 information raised in the representation 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 fulfill 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](#)

[Statement of Licensing Policy](#)

**Appendix A** – Copy application form

**Appendix B** – Copy plan of the premises

**Appendix C** – Copy of the existing premises licence

**Appendix D** – Copy of representations received from other persons

**Appendix E** - Copy of the two additional agreed conditions

To either inspect these documents or if you have any queries with the report please contact Alexander Nix (Ext 7725).

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Date originated: 29<sup>th</sup> April 2019

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