

1)

Address: Genie Delivery Limited, 94 King Street, Cambridge, Cambridgeshire, CB1 1LN

An objection is raised to this proposal because granting a licence for this premises will not promote the licensing objectives, particularly the prevention of public nuisance. King Street is heavily residential. Residents already suffer noise nuisance and antisocial behaviour during licensing hours, but this largely stops once local pubs close. An alcohol delivery service will bring disruption throughout the night too, 7 days a week (4pm to 6am), disturbing residents' right to sleep. There will be constant noise from 'Deliveroo-style' couriers, both by bike and car/van. They will likely idle their engines while awaiting pick-up, speak loudly with the 'warehouse' operator, clink bottles & cans, slam doors and race off to their delivery destinations. The applicant has not made a planning application for change of use on this listed property. This is important as this venture will entail more activity than would be reasonably associated with such a dwelling.

2)

Dear Sir/Madam,

I write in connection with the application concerning 94 King Street and Genie Delivery Ltd to supply alcohol from 4 pm-6 am Monday to Saturday.

This is a mainly residential area with students and people working from home as well as retired persons. I feel that the excess traffic will cause disruption and nuisance to residents and the next door neighbours.

I urge the Licensing Authority to refuse this application as we already have several public houses and delivery's associated with them. The increase in traffic also brings higher pollution levels which we have fought to reduce in times past.

Your Sincerely

**3)**

Address: Genie Delivery Limited, 94 King Street, Cambridge, Cambridgeshire, CB1 1LN

This is not at all appropriate as this is a residential area as well as a commercial one. My [REDACTED] and I do not want there to be additional traffic overnight, or for it to be known that the premises keeps alcohol, especially as there is already an issue of anti-social behaviour on King Street which is having to be dealt with by local councillors and the police. I object most strongly.

Member of the public As someone who regularly walks along King Street I object to this application. This street has many residential homes and people buying alcohol at all hours will be a disturbance to them. It is likely drivers will leave their engines running causing noise and environmental nuisance. Customers who wish to buy alcohol during nighttime hours are, I imagine, likely to have already been drinking. Please do not publish my details.

4)

**From:** [REDACTED]

**Sent:** 03 November 2020 10:59

**To:** Luke Catchpole <Luke.Catchpole@cambridge.gov.uk>

**Cc:** licensing (CCity) <licensing@cambridge.gov.uk>

**Subject:** Premises Licence Application for Genie Delivery Limited, 94 King Street, Cambridge, Cambridgeshire, CB1 1LN

Dear Mr Catchpole,

I wish to make comments on a local Premises Licence Application but am unable to find how to do that on the City Council's website.

I do not seem to have a reference number for the application either.

I wondered if my comments could please be submitted by emailing you - but preferably without my name and address attached.

My comments are as below. Please could you let me know if this has resulted in them being submitted.

Many thanks for any assistance, Yours sincerely

**re. Premises Licence Application for  
Genie Delivery Limited, 94 King Street, Cambridge, Cambridgeshire, CB1 1LN**

> I would be astonished if anyone (other than the applicant) thought that this type of venture would be suited to the proposed location at 94 King Street, and I strongly object to it. It is a narrow street and in a densely populated residential area - including flats just across the road at Cromwell Court, and with Manor Place and many other homes also nearby, along with older properties (many homes are also at street level too) - plus the Sheltered Housing / Retirement apartments at Epworth Court adjacent to Christ's Pieces.

> Viewing what I was able to find about the application online, on the City Council's website, I found nothing to convince me that the proposal would be at all suitable for this location - and was also puzzled to see this statement from the applicant under "Non Standard Timings and Seasonal Variations" which said: *"Activity will be very low during Christmas, Easter, and the summer months"* - I have no idea what the basis for such a statement could be, but would think that, due to the nature of the proposed business, that the opposite is much more likely to be true...

> Depending on the types of delivery vehicles used, there would be unavoidable / distressing night-time noise nuisance and sleep disruption from:

- \* Banging car and van doors

- \* Revving engines of cars and vans, plus motorcycles in particular are noisy (there may also be electronic beeping/alerts if larger vehicles are reversing - also intrusive bright lights at night - & extra traffic fumes)

- \* There may not be adequate parking provision - leading to extra vehicle manoeuvres / more noise and fumes

(residents' parking availability could be compromised too)

- \* Loud conversations of employees outside (including shouting into mobile phones) during the night

- \* Clanking bottles \* Banging doors etc / other noise emanating from within the premises when orders were being prepared

- - *all of this from **4 p.m. through the night until 6 a.m.** - - totally unacceptable for the location (and **more suited to a unit on an Industrial Estate**)*

\* Plus - extra noise & day-time traffic disruption etc when stock is being delivered TO the premises, and involving larger vehicles

\* Also, the area (King Street and Christ's Pieces) is already beset with problems caused by drug addicts / street drinkers / shoplifters - often rowdy, sometimes violent - and the premises would be likely to attract "unwanted attention" - including attempted break-ins etc (and then disruptive attendance by Police vehicles - sirens, flashing lights..) No doubt it would be fitted with intruder alarms too - how often might those be activated?

> Finally, if granted permission, it concerns me, as a local resident for many years, that this could set an unwelcome precedent for further "All-Night ventures", with associated noise nuisance and traffic problems, etc, in the King Street area.

5)

**Charles Harpum, QC (Hon), LLD**

[REDACTED]  
[REDACTED]  
[REDACTED]

I wish to object to an application by Genie Delivery Services Limited for a licence under the Licensing Act 2003 in respect of 94 King Street, Cambridge, CB1 1LN ("the Property"). Under the terms of the application, the applicant proposes to use one room on the ground floor of the Property for the off sales of alcohol between the hours of 16.00 and 06.00 Monday to Sunday. The Property is located on the corner of King Street and Pike's Walk and it is one of two old alms houses, the other being 90 King Street, which adjoins the Property.

In making this objection, I have had regard to the Revised Guidance issued under s 182 of the Licensing Act 2003, dated April 2018 ("the Guidance"). I make this application as the owner of 105 King Street, which is and has been my home since August 1997. No 105 is situated diagonally opposite the Property, on the corner of King Street and Belmont Place.

In determining the application, the licensing authority is required to have regard to the four Licensing Objectives, which are set out in Part 2 of the Guidance. My objection is made under the third of the Objectives, "Public Nuisance". Para 2.16 of the Guidance explains the meaning of that term so far as presently relevant:

“Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises...”

Paras 2.17 – 2.20 specifically address the issue of noise nuisance and that is my ground of objection.

The factual position is as follows. The area of King Street where the Property is located is a heavily residential area. There are shops and there are pubs nearby, but use is predominantly for residential accommodation. In relation to the Property, the position in detail is as follows:

- To the west of the Property is No 90 King Street, which is a private residence.
- To the east of the Property, across Pike’s Walk, there is No 96 King Street, a three-storey property which has an architect’s office at the front of the building. To the rear, and above the architect’s office (on the first and second floors), there are a number of residential flats.
- To the east of No 96 is No 98 King Street, another three-storey house, which is a private residence.
- Opposite the Property is Cromwell Court, part of Sidney Sussex College. While the ground floor comprises shops, the floors above are occupied by students from Sidney Sussex College. I understand that some Fellows of Sidney Sussex College may also live there.
- Diagonally opposite the Property, to the east of Belmont Place, are a series of residential properties, Nos 105, 107, 109, 111 and 113 King Street.

As I indicated above, I have lived at No [REDACTED] since August 1997. During that period, the Property has always been used as a private residence. Indeed, my understanding from the registered title to the Property (Land Registry Title Number CB18407, note 1 of the Charges Register) and from my own inquiries, is that the Property is subject to restrictive covenants in favour of No 90, which may restrict the use of the Property to residential purposes. As a matter of law that is not relevant to the determination of this application, but it may of course become relevant subsequently in practice if the licence is granted.

As I understand the intended use of the Property, for which a licence is sought, it will necessarily involve the following:

- Storage of alcohol on the premises.
- Deliveries of alcohol to the Property for storage.
- Sending out delivery drivers with alcohol from the Property, which means that delivery drivers will necessarily come and go to collect orders for despatch.

I note that there is already a relevant website (<https://geniedelivery.co.uk/>), “Hey Cambridge. Drinks and snacks delivered to your door in 15 minutes or less”.

These proposed activities would, under the terms of the licence sought, occur between 16.00 in the afternoon and 06.00 in the morning – in other words throughout the evening and night, every night of the week. The delivery drivers would come and go on their bicycles, motorcycles or perhaps other vehicles, throughout that period. They would ring the doorbell or, if they had some other form of access, they would necessarily open and shut the door to the Property. There could be early morning deliveries of alcohol to the Property to avoid traffic problems later in the day. That could entail the unloading of boxes or pallets of drink from a vehicle into the Property. All of these activities will necessarily generate noise, some of it significant.

I know from bitter experience the amount of noise that can occur late at night in this part of King Street. There is a good deal of noise associated with a nearby pub. Drinkers linger outside after the pub closes and then depart in vehicles (including, not infrequently, loud motorcycles). The bar staff who clear up after closing time may be collected, often very late. It is a very common occurrence for cars waiting to pick up such persons to keep their engines revving. This is particularly irritating. At least that noise is generally over by midnight. I am horrified at the thought that there could all-night comings and goings at the Property. Sounds from the street are very audible throughout my house, even in winter when the windows are closed. I consider that there should be no such activities between midnight and 7.00 am at the very least. I note from para 2.19 of the Guidance, that:

“Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am.”

Similar considerations apply in this case.

These proposed activities will have a serious effect on the enjoyment and peace of residents within earshot of the Property and I therefore oppose the application.

[REDACTED]

Dr Charles Harpum

6)

Address: Genie Delivery Limited, 94 King Street, Cambridge, Cambridgeshire, CB1 1LN

[REDACTED]

[REDACTED]

[REDACTED]

An objection is raised to the proposal for a premises licence by Genie Delivery Limited at 94 King Street, CB1 1LN. The company fails to meet Cambridge City Council licensing objective number 3: the prevention of public nuisance. King Street residents already suffer from noise pollution from Cambridge buses and taxis travelling from the city, and antisocial behaviour arising from establishments operating during normal licensing hours. An alcohol delivery service, operating outside normal licensing hours, will result in 24-hour noise pollution for residents. On their social media platforms, Genie Delivery Limited has stated they received over 200 orders during their first weeks of trading. This volume will inevitably increase, resulting in a constant disturbance from 'Deliveroo-style' couriers, discussions between Genie Delivery employers while awaiting collection, and liaising with 'warehouse' operators. I would urge the Licensing Authority to refuse the application.

7)

From: [REDACTED]

Sent: 02 November 2020 11:56

To: Commercial Team of Environmental Health <[Commercial@cambridge.gov.uk](mailto:Commercial@cambridge.gov.uk)>

Subject: Licence application from Genie Delivery Ltd 2020

RE: LICENCE APPLICATION BY GENIE DELIVERY LTD 2020 - 94 King Street.

I wish to object to the licencing application submitted by the residents of 94 King Street to run a "through the night" alcohol delivery service from the property. Unless they can guarantee that delivery vehicles used will be 100% electric, I object strongly to the application. The noise on King Street during the night has always been problematic - taxis, delivery lorries run all night long (out of lockdown!) and this will add to an already irritating issue (my flat overlooks King Street and vehicle noise levels can be intolerable especially during the summer months when windows need to be open).

I hope you will consider this objection in all seriousness.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8)

**From:** [REDACTED]

**Sent:** 03 November 2020 21:50

**To:** Commercial Team of Environmental Health <[Commercial@cambridge.gov.uk](mailto:Commercial@cambridge.gov.uk)>

**Subject:** Licensing Application by Genie Delivery Limited 2020,

Dear Sir/ Madam,

A fellow resident of [REDACTED] [REDACTED] informed me and other [REDACTED] of the above licensing application by letter. She included appendices A and B, which are a photocopy of the Licensing application by number 94 King street, Cambridge, CB1 1LN, and [REDACTED] respectively. I notice that the licensing application emphasises that certain measures will be taken to ensure delivery is contactless, customers will be required to verify their age, deliveries will be refused to households appearing to contravene Covid-19 Social distancing rules etc. The application, however, states a request that the delivery service run between the hours of 4.00 pm (16.00 hours) to 6.00am " Monday to Sunday". This would be seven days a week.

I currently rent a [REDACTED] and my [REDACTED]

There is no mention in the application of how neighbours' needs will be considered.

King street is already an extremely busy and noisy street, owing to a number of factors: there are a considerable five existing public houses located on this street, exclusive of three separate cafe/ restaurants which serve alcohol and one takeaway which trade at present until 10.00pm when the region is not required to be in lockdown.

Residents here already endure not only the disturbance and disruption these establishments cause. These problems include traffic noise, loud music from pubs, groups of drunk people talking at volume, shouting and fighting, inconsiderate drivers waiting outside in cars and on one recent occasion particularly, talking on the phone in the car with the speaker at a loud volume.

Further nuisance occurs due to the fact that pub-goers often find that going along king street is a convenient shortcut to their homes.

I personally suffer from long- term depression and I have neighbours who also suffer and the combination of the approach of winter, seasonal affective disorder and the Covid-19 situation especially, extra traffic noise for ten hours, including most sleeping hours, will certainly make it more difficult to relax, concentrate and sleep.

Relaxation, concentration and sleep is more vital and precious than ever for most people, I imagine, at the moment, in order that they maintain reasonable mental health whether clinically unwell or not.

Therefore I am passionate about joining [REDACTED] in [REDACTED] objection.

It is easy to forget that this is a residential area rather than a high street and I strongly believe people in assisting everyone to live as peacefully as possible as outlined in my arguments.

Many thanks

I'm sure there is strong support for [REDACTED] objection.

Yours Faithfully, [REDACTED]



9)

**From:** Cllr Tim Bick (Cambridge City - Market) [REDACTED]

**Sent:** 04 November 2020 10:45

**To:** licensing (CCity) <licensing@cambridge.gov.uk>

**Subject:** Genie Delivery Limited, 94 King Street

I would like to object to this premises licensing application as ward councillor for Market Ward on a number of different counts:

I consider the application does not meet the licensing policy's objective of avoiding public nuisance. The operation of an all-night delivery business from a residential house in a residential area cannot possibly avoid creating public nuisance in the neighbourhood. The comings and goings, which are not limited in number and frequency, will be potentially disruptive to the kind of night-time peace, which other residents have a right to expect. Other licensed premises mainly in the less residential part of King Street have to cease serving between 11pm and 12.30am.

I also consider that none of the four licensing objectives will be met if the council licenses the business model as it is described. It leaves latitude for performance in ways which would clearly break the licensing objectives – therefore offering no basis for recourse or review when that happens:

- "Delivery" is a vague a description which does not even preclude people standing in the street outside or in public open spaces.

- Although it is said that service would not be provided at the house itself, no measures are proposed to ensure customers do not present themselves at the house to seek service, whether or not it is granted.

- The process for verifying customers' ages and that the customer is not already intoxicated lack credibility or any possibility of supervision or enforcement, if it is left until after a customer has paid and to be carried out by someone who has by that stage taken the product to them.

An application for a license to sell alcohol from this address is governed by the council's cumulative impact policy. This puts the onus on the applicant to demonstrate how the business's operation will not add to the existing impact of alcohol sales in the area. There is a considerable number of establishments along King Street with a licence to sell alcohol and this is already a sometimes uneasy relationship with the significant residential population, which marks it out from much of the city centre. Recent incidents have driven alcohol-related anti-social behaviour to be the subject of the current neighbourhood policing priority. The purpose of the cumulative impact policy is to ensure an applicant has focused on the existing situation and that s/he makes his undertakings explicit and becomes accountable for them. There is no such statement in this application and so the onus on the applicant has not been discharged.

I would underline to the council that this is not a temporary application. It is not limited to the current pandemic conditions where streets like King Street are unusually quiet, pubs are shut and there is sympathy for delivery services. Whatever the size of the business at its inception, there is no limit on the size it can grow to that is expressed in the application. So I would encourage the council to assess the application against more normal non=pandemic conditions and to envisage it as potentially significantly larger than it might start - **Cllr Tim Bick**



10)

***Ian Brown MA, MD, PhD, FRCR, FRSC***  
***Professor & Consultant in Neuro-Oncology***

I wish to object to the application by **Genie Delivery Services Ltd** for a licence under the Licensing Act 2003 in respect of the 94 King Street CB1 1LN.

Under the terms of the application, the applicant proposes to use one room on the ground floor of 94 King Street for the off sales of alcohol between the hours of 16.00 and 06.00.

The property (*vide supra*) is situated at the junction of Pikes Walk and King Street. It one of a terraced pair of old alms houses, the other being 90 King Street – a normal residence.

I understand that 94 King Street is not a commercial property but a domestic dwelling which is of historical importance and as such is listed. I am not aware of any application for its change of use. It is not appropriate for such a property to be used as a warehouse for storing alcohol and serving as a centre for its distribution.

I am making this objection as the owner of [REDACTED] King Street CB1 1LD. I have resided at [REDACTED] King Street since 1998. It is the middle property of a terrace of 5 town houses [REDACTED] which are listed as properties of interest. My house is some 25 metres diagonally across from 94 King Street.

I strongly object to the application on the basis of public nuisance:

King Street is generally busy, the traffic can be heavy. Often taxis idle in parking areas (including residents' parking) during the evening. There is also significant noise nuisance and anti-social behaviour during licensing hours. But this usually abates following the closure of the local public houses. The enclosed character of King Street and its buildings leads to noise amplification. However, this generally subsides by mid-night. For a business to operate (in the manner described by Genie Delivery Services Ltd) throughout the night until 06.00 on a DAILY basis is not a tenable concept in a heavily residential area. An alcohol delivery service would lead to constant disturbances, the nature of which are varied and have been outlined by other objectors. It is totally unreasonable that King Street residents (some of whom are frail and vulnerable) should have to put up with increased traffic, noise and disruption throughout the night. Surely, all residents are entitled to a good night's sleep!

I also note that Genie Delivery Services Ltd are actively trading from 94 King Street. There is a relevant website (<http://geniedelivery.co.uk>) and fly-sheet advertising in the centre of Cambridge describing their services. In fact, last Thursday, whilst moving my car (to a residents' bay) which due to earlier congestion was parked in front of 94 King Street, I witnessed several Deliveroo riders going in and out of the property at 01.30. Is this 'the thin end of the wedge'?

In summary, I believe that the proposed activities of Genie Delivery Services Ltd would significantly impair the quality of life of residents in King Street, particularly those in close proximity of 94 King Street. In view of these serious concerns I would urge the Licensing Authority to refuse the application.

***I Brown - [REDACTED] King Street, CAMBRIDGE CB1 1LD***

11)

██████████ -

Member of the public As someone who regularly walks along King Street I object to this application. This street has many residential homes and people buying alcohol at all hours will be a disturbance to them. It is likely drivers will leave their engines running causing noise and environmental nuisance. Customers who wish to buy alcohol during nighttime hours are, I imagine, likely to have already been drinking. Please do not publish my details.

12)

██████████ -

3 November 2020

Dear Sirs

**PLANNING APPLICATION FROM 94 KING STREET CAMBRIDGE CBI ILN**

On a window of 94 King Street is an application from the tenant for a Premises Licence for the sale of alcohol between 1800 and 0600 Monday to Sunday. This is in addition to the sale of other items of food to clients.

I have lived at ██████████ and during that time 94 King Street has had a number of owners and tenants. From a plaque on the outside these houses date from 1790 and were designed for residential use.

When buying this house my husband and I decided to buy the freehold from Cambridge City Council. I have relevant documents which date from ██████████. As far as I know, 94 King Street is still leasehold.

I am enclosing copies of documents (some difficult to read) relating to change of use from residential to commercial for 94 King Street. You will see that temporary permission was granted for three years from 3 November 1979, the latest relevant document I can find.

I am concerned about the proposed change of use of 94 King Street because it will almost certainly affect the value of this property which is to be inherited by my ██████████ on equal terms. There is also the possibility of disturbance of this area throughout the night because of the proposed business hours and the nature of the business. In King Street there are already a number of premises selling alcohol: public house, restaurants and shops.

Yours faithfully

[REDACTED]

13)

**From:** licensing (CCity) <licensing@cambridge.gov.uk>

**Sent:** 04 November 2020 18:21

**To:** Taxi <taxi@cambridge.gov.uk>; Naomi Horwood <Naomi.Horwood@cambridge.gov.uk>

**Subject:** WK/202088553 :

Address: Genie Delivery Limited, 94 King Street, Cambridge, Cambridgeshire, CB1 1LN

[REDACTED]  
[REDACTED]  
[REDACTED]

Objection to premises licence application by Genie Delivery Ltd at 94 King St, CB11LN Granting a licence will not promote the licensing objectives, particularly the prevention of public nuisance. King St is a largely residential area. An alcohol delivery service will create new noise & disruption, seven days a week (4pm to 6am), disturbing residents - couriers, be it mopeds, cars, vans or bicycles visiting 94 King Street to pick up orders for deliveries and when new stock is delivered to the premises idling engines, slamming doors, loud voices, and drivers accelerating away to deliver orders. This is particularly concerning late at night and through the early hours of the morning when people are trying to sleep. It is also noted that: - alcohol is already available for sale/delivery from the applicant's web site without a valid licence being in place for this property -a planning application for change of use has not made

14)

King Street Neighbourhood (Roger France/Samantha Sherratt)

KING STREET  
NEIGHBOURHOOD

CONVENOR:  
ROGER FRANCE

[REDACTED]

CORRESPONDENT:  
SAMANTHA SHERRATT

[REDACTED]  
[REDACTED]  
[REDACTED]

4 November 2020

Dear Licensing Officer

Objection is raised to the proposal for a premises licence by Genie Delivery Limited at 94 King Street, CB1 1LN. The basis for this opposition is that granting a licence for this premises will cause public nuisance.

[REDACTED]

King Street is heavily residential. Although there are a number of pubs in the street which can cause noise disturbance, this is largely restricted to within licensing hours. An alcohol delivery service will bring disruption throughout the night too, seven days a week (4pm to 6am), disturbing residents' right to sleep.

There will be constant noise from couriers. It is understood that Genie intend for deliveries to be made primarily by (pedal) cycles, but this form of delivery could easily degenerate into delivery by mopeds, motorbikes or cars/vans, without warning or means of prevention. Experience shows that they will likely idle their engines while awaiting pick-up, speak loudly on collection, clink bottles and cans, slam doors and race off to their delivery destinations.

It is understood that Genie have been offering their delivery service for a while already, despite not having a premises licence. Their app is functional, fly posters have appeared in town and deliveries are being collected from the front door of the property, which will cause maximum disruption to neighbours.

The premises are effectively being used as a 'corner shop', and it is possible to use the app to buy items such as frozen and pre-packed food, toilet rolls and sanitary wear. This is inappropriate for a residential property of this historical significance, in such a built-up area. Also, it is the thin end of the wedge and could easily degenerate – will Genie soon be offering to deliver take-away food, for example?

The applicant has not made a planning permission application for change of use on this special property. This is particularly important considering the potential of this business to cause disruption to neighbours with a noticeable increase in delivery vehicles coming to the property. This is more activity than would otherwise be reasonably associated with such a dwelling.

There is no objection to the concept of an all-night delivery service, but this location is highly inappropriate.

In view of the above, the Licensing Authority is urged to refuse the application. Yours faithfully,

Roger France  
Samantha  
Sherratt

15)

██████████ –

2 November 2020.

To Cambridge City Council,

I am submitting an objection to the licensing application for a 'through the night' alcohol delivery Service from 94 King St. (Between the hours of 1600 and 0600 [redacted] the 'Taj' Indian restaurant, and the noise of mopeds from Deliveroo go on until 11:00pm or so, all through the previous lockdown, when all else was quiet. This created some disturbance, but at least ceases at 11p.m. allowing normal sleeping patterns. But a 24 hour service will be potentially all the more disruptive. Those mopeds are quite loud, leaving aside the loud outdoor conversations and banter, which, as well as music blaring from cars with engines running may well lead to disturbing noise throughout the night.

This seems an opportunistic attempt to profit from the lockdown with no perceivable benefit to local residents. If it is the City Council's aim to promote a 24 Hours Commercial Environment in Cambridge City Centre, This should be openly declared.

Yours sincerely, [redacted]

P.T.O.




There is a further consideration in this time of Covid Emergency, There are quite a few elderly & vulnerable residents with street-facing properties whom this extra traffic would seriously impact. In terms of late night traffic noise, and interrupted sleep patterns, with the subsequent knock-on effects on their health & mental well-being.

It is all very well to ask people to isolate but this is not a licence to ride roughshod over previous planning considerations,

or is it???

There are those who may wish to profit from the current opportunity of chaos, would the City Council wish to count itself among those? If the Councillors themselves are not personally affected?



I look forward to any response,



16)

Roger France -

**OPINION AND OBJECTION**

from Roger France,  Cambridge, 

re: 94 King Street, CBI INL

### **Use of premises for retail sales including alcohol**

1. Since its construction in the late 19th Century the premises at 94 King Street have been used for exclusively residential purposes. The present application for an alcohol licence involves the conversion of one part of the premises for the storage and retail sale of alcohol by Genie Ltd. There are two aspects to this application: (1) the sale of alcohol, and (2) a change of land use.

#### **2. The sale of alcohol.**

2.1 Since the Licensing Act of 2003 Cambridge City Council have created policies to curtail the widespread dissemination of alcoholic beverages, including reducing the absolute number of outlets, and ensuring that such outlets are supervised by accredited security professionals. The use of these premises will increase the number of outlets.

2.2 Four outlets for the sale of alcohol from shops already exist in the immediate neighbourhood, namely (a) Tesco in Christ's Passage; (b) Waitrose in Burleigh Street; (c) 'The Raja' restaurant, and (d) 'Kings' post office in King Street.

2.3 Five other alcohol outlets exist in pubs and restaurants in the immediate neighbourhood, namely (a) 'The King Street Run' - next door but one; (b) 'Effis' restaurant; (c) 'd'Any's' restaurant; (d) 'The Cambridge Brewhouse', and (e) 'The Radegund'.

2.4 Thus, within roughly five minutes' walk nine existing outlets exist. For the Council to grant permission for one further outlet would seem inappropriate and against the Council's policy of curtailing alcohol consumption on grounds of public health and public nuisance. There already exists a problem of alcohol abuse (inter alia) on the access steps to Malcolm Place and in the Christ's Piece public open space, so if the licence is granted there arises the prospect of such abuse being continued overnight in these places.

2.5 The proposals do not specify that a security professional will be in attendance during the whole of the hours of opening for 7 days a week, nor does the Council specify their own system of ensuring that such conditions being checked and complied with.

2.6 The proposed hours of opening from **8pm** to 6am are not synchronised with those of other licensed premises in the neighbourhood which require closure at, or by, 11pm daily, so the granting of a licence would only worsen the cumulative impact of alcohol in the city and the immediate locality as well.

2.7 It has not been possible to view the application form submitted to the Council, but close scrutiny will be needed on the part of the Council's legal advisers to ensure that the deeds of the property permit the applicant (ie Genie and its owners) to operate a trading activity from the property.

#### **3. Change of use.**

The property lies within an area of mixed land uses in the centre of the City of Cambridge, mainly retail and residential. In King Street there is a predominance of high-density residential accommodation fronting the public highway (eg Malcolm Place and Manor Place), plus student accommodation (eg New Court and Cromwell Court), as well as homes for the elderly (eg the alms-



houses and Epworth Comt). Students could easily be disturbed from their studies by the incursion of night-time deliveries and the residents of homes for the elderly are a particularly wlnerable category of resident. No other traders operate after 6pm Monday to Saturday.

3.1 The change of use of one floor of a residential building into retail trading constitutes a change of land use, and for that reason requires planning permission.

3.2 The Council should be aware that the granting of a licence under the Licensing Act does not merely amend the terms of an existing licence: rather, it involves a change of use Wider the Town and Country Planning Acts.

3.3 The Council should also be aware that Genie Ltd is a vending outlet for chocolate and household goods, so the granting of an alcohol licence could also enable non-alcoholic goods to be sold, making the premises, in effect, an all-night corner shop.

3.4 The process of applying for planning permission would make evident the status of the premises with respect to other 'parties with an interest in the property', principally any leasehold or freehold owners, as well as the legal status of Genie and its owners with regard to their occupation of the property.

3.5 The comings and goings of a retail trading activity in this densely residential area in the middle of the night, every night, is an activity that is contrary to the aims and objectives of social and environmental amenity which is the province of town and country planning to foster.

3.6 The Council is advised that an application for Planning Permission should be sought

4. Conclusion.

In terms of the Licensing Act 2003 and the Town and Country Planning Acts it is recommended that applications on both counts be refused, such refusal being based on such evidence as has been made available as well as on the reasons stated above.

Roger France  
3<sup>rd</sup> November 2020

4.1