

Agenda Item



**CONSIDERATION OF AN APPLICATION FOR A PREMISES  
LICENCE TO BE GRANTED**

**The Fellows House, 33A Milton Road,  
Cambridge CB4 1UZ**

---

**To: Licensing Sub-Committee**

**Report by: Trish Kaye**

**Licensing Enforcement Officer – Commercial & Licensing**

Tel: 01223 457667 Email: [patricia.kaye@cambridge.gov.uk](mailto:patricia.kaye@cambridge.gov.uk)

**Wards affected: King's Hedges**

## INTRODUCTION

- 1.1 An application under section 17 of the Licensing Act 2003 (the 'Act') for a Premises Licence to be granted in respect of The Fellows House, 33A Milton Road, Cambridge, CB4 1UZ has been received from The Fellows House Ltd. The application was served on Cambridge City Council (the Licensing Authority) on 18<sup>th</sup> January 2021. A copy of the application was also served on each responsible authority. The application form is attached as Appendix 1 and a plan of the premises is attached as Appendix 2.
- 1.2 The applicant is seeking a Premises Licence to supply alcohol between 11.00 and 0100 to customers not resident at the hotel and 24 hours a day to guests staying at the hotel. They also require a late-night refreshment licence between the hours of 2300 and 0500 hours. The applicant has since amended the application to supply alcohol to non-hotel residents between the hours of 11.00 hours and 23.00 hours.
- 1.3 In accordance with the regulations of the Act the application was advertised on the premises and in a local newspaper to invite representations from responsible authorities and other persons. The last date for submitting representations was 16<sup>th</sup> February 2021.
- 1.4 Representations were received from nine other persons: all were deemed relevant. After the applicant amended the application so the sale of alcohol to non-hotel residents ceases at 23:00 hours instead of 01:00 hours, 4 representations were withdrawn. This leaves 5 outstanding representations received from other persons, which are attached as Appendix 3.
- 1.5 No representations were received from any of the responsible authorities. Cambridgeshire Constabulary and Environmental Health agreed conditions with the applicant. These conditions, and the other conditions offered within the operating schedule are attached to the report as Appendix 4. These will be added to the premises licence if granted, and if members so wish further conditions can also be added.
- 1.6 The application needs to be determined.

## **2. RECOMMENDATION**

- 2.1 Members must 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 There has been no previous licence application pertaining to these premises. The Fellows House is a hotel located on Milton Road adjacent to the Cambridge Manor Care Home. The premises are to contain a Bar, Restaurant and Café where alcohol is intended to be sold for consumption on the premises and provided for hotel guests in their room's hotel and townhouses. The alcohol is intended to be supplied from the ground floor side of the building fronting Milton Road.
- 3.2 In carrying out its licensing functions, the Licensing Authority must have regards 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 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 'Act' 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](#)
- [Cambridge City Council – Statement of Licensing Policy](#)
- [Cambridge City Council – Guidance for Applicants](#)

**Appendix 1** – Copy of application form

**Appendix 2** – Plan of the premises

**Appendix 3** – Representations from Other Persons

**Appendix 4** – Conditions of licence if granted

To inspect these documents either view the above hyperlinks or contact Trish Kaye (01223) 457667

The author and contact officer for queries on the report is Trish Kaye (01223) 457667.

Date originated: 23<sup>rd</sup> February 2021

Late updated: 23<sup>rd</sup> February 2021