



**CONSIDERATION OF AN APPLICATION FOR A PREMISES  
LICENCE  
Rutherford Punting Cambridge Ltd., 54 Hertford Street,  
Cambridge CB4 3AQ**

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**To: Licensing Sub Committee:**

**Report by: Patricia Kaye (Senior Technical Officer)**

Tel: 01223 457667

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

**Wards affected: Arbury**

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**INTRODUCTION**

1. An application under section 17 of the Licensing Act 2003 for a Premises licence to be granted in respect of Rutherford Punting Cambridge Ltd., has been received from Rutherford Punting Cambridge 54 Hertford Street Cambridge. The premises to be licensed are the current offices of a punting company, Rutherford Punting Company, 90 Searle Street, Cambridge CB4 3DD. If granted, the premises licence will authorise the sale of alcohol which shall be consumed by customers of the applicant who have booked guided trips on punts operating on the River Cam from 90 Searle Street, Cambridge. The application was served on Cambridge City Council (the Licensing Authority) on 12th August 2021. A copy of the application was also served on each responsible authority. The

application is attached to the report at Appendix A and a plan of the premises is attached as Appendix B.

- 1.2 In accordance with the regulations of the Act, the application was advertised on the premises and in the Cambridge Independent to invite representations from responsible authorities and other persons. The last date for submitting representations was 9<sup>th</sup> September 2021.
- 1.3 Representations were received from two other persons, one of who, was Anthony French of the Streets and Open Spaces department of the Cambridge City Council. This representation is attached as Appendix C. The second representation is attached at Appendix D.
- 1.4 No representations were received from any of the Responsible Authorities.
- 1.5 The application needs to be determined.

## **2. RECOMMENDATION**

- 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 licence holder already holds a premises licence that is exactly the same one applied for in the application. This is PRECAM 00761 and this has been attached as Appendix E to this report. The reason for an application for a new premises licence is the change of address from Histon Road to Searle Street. If granted, the premises licence will authorise the sale of alcohol from the new address of 90 Searle Street, Cambridge CB4 3DD and will allow internet sales for delivery to residential or commercial properties. PRECAM 000761 recently applied for a variation to the premises licence, which was granted by the Licensing Sub-Committee in March 2021. The same conditions attached to that licence have been submitted as part of the new application. There have been no complaints regarding the use of PRECAM 000761 received since the variation was granted.

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
- 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 '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](#)

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

**Appendix A** – Application Form

**Appendix B** – Plans of premises

**Appendix C** – Representation from Cambridge City Council department  
**Appendix D** – Representation from local resident  
**Appendix E** – Copy Precam000761 Licence

To inspect these documents either view the above hyperlinks or contact Trish Kaye on extension 7667/mobile 07713171039.

The author and contact officer for queries on the report is Trish Kaye on extension 7667/ mobile 07713171039.

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