

# CAMBRIDGE CITY COUNCIL

## Licensing Act 2003

### Notice of Determination of an Application for a New Premises Licence at Tudor Rose Café Limited, 54 Mill Road, Cambridge CB1 2AS

To:

Of:

[the applicant] [a person who made relevant representations] [the Chief Officer of Police]

Cambridge City Council, being the licensing authority, on the 25<sup>th</sup> September 2008 received an application for a new premises licence in respect of premises known as Tudor Rose Café Limited, 54 Mill Road, Cambridge CB1 2AS.

One representation was received from the Police and 32 representations were received from interested parties.

On the 17<sup>th</sup> November 2008, a hearing was held to consider the representation.

In reaching the decision on the application, the Sub-Committee considered material presented orally and in writing, the representations made by the Applicant's representative and the Responsible Authority, and representations made by two local residents appearing in their personal capacity, one local resident appearing as secretary of the Glisson and Tennison Road resident's association, and Councillor Walker appearing on behalf of traders in the immediate vicinity of the premises. Members took into account the Council's Statement of Licensing Policy and the statutory guidance under the Licensing Act 2003.

In this case, the Sub-Committee had to balance the interests of the applicant with those of the wider community. The decision was reached on its individual merits, bearing in mind that these premises are in a mixed commercial and residential area.

It was decided:

That it is justifiable to depart from the special policy on cumulative impact because of the conditions offered by the applicant, and because of the Police's withdrawal of their objections to the application, and because of the consensus between several of the resident objectors that the new conditions addressed many of their concerns.

The Sub-Committee therefore decided to grant the application subject to the conditions contained in the applicant's operating schedule as well as the conditions presented at the start of the meeting and agreed by the applicant and the police subject to amendments to the text drafted during the course of the meeting, all of which conditions are given below:

#### **Sale/supply of alcohol (on the premises)**

**Mon-Sun                      12.00 to 23.00**

## **Late night Refreshment (indoors and outdoors)**

**Mon – Sun                    23.00 to 00.00**

### **Hours premises are open**

**Mon- Sun                    07.00 to 00.00**

### **Conditions submitted by the applicant before the hearing :**

#### **General**

All reasonable steps shall be taken to ensure that the premises will have a positive impact on the local environment and its residents at all times

#### **The Prevention of Crime & Disorder**

Any incidents of a criminal nature occurring on the premises shall be reported to the Police.

To deter the use of drugs, the toilets shall be checked on a two hourly average whilst the premises are open.

CCTV equipment with recording facilities shall be installed and operated at the premises to provide comprehensive coverage and shall be maintained in working order.

The CCTV system shall conform to the following points:

1. Cameras must be sited to observe the entrance and exit doors, both inside and outside
2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification
3. Cameras viewing till areas must capture framed not less than 50% of the screen.
4. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
5. Be capable of visually confirming the nature of the crime committed.
6. Provide a linked record of date, time and place of any image.
7. Provide good quality images – colour during opening times.
8. Operate under existing light levels within and outside the premises.
9. Have the recording device located in a secure area or locked cabinet.
10. Have a monitor to review the images and recorded picture quality.
11. Be regularly maintained to ensure continuous quality of image capture retention.
12. Have signage displayed in the customer area to advise that CCTV is in operation.
13. Digital images must be kept for 31 days.
14. The Police shall have access to images at any reasonable time.
15. The equipment must have a suitable export method so that an evidential copy can be made of any data required in a format suitable for replay on a standard computer. Copies must be made available to the Police upon request.

#### **Public Safety**

Fire fighting equipment shall be installed throughout the premises and maintained in working order.

All emergency exits shall be kept free of obstruction at all times.

#### **The Prevention of Public Nuisance**

Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

#### **The protection of children from harm**

On occasions when the venue is open for the sale of alcohol the DPS or relevant person will actively operate a 'Challenge 21 policy'. This will include a voluntary agreement to only accept identity cards with a 'pass' accreditation, passports or photo ID driving

licences, or any future identification card as approved by central government, as bona-fide recognised forms of identification.

A register of refused sales shall be kept and maintained on the premises. Staff shall be fully trained in alcohol sales with ongoing refresher training.

**Conditions submitted by the applicant during the hearing :**

1. The Licensee, that is the person in whose name the premises licence is issued, shall ensure that at all times when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.

2. No music shall be provided to any external areas.

3. The Licensee shall take all reasonably practicable steps to ensure that patrons entering into and departing from the licensed premises do not cause nuisance or annoyance to adjoining residents or passers by.

4. The supply of alcohol will only be ancillary to the taking of a table meal.

5. The premises will continue to be food led.

6. There shall be no sale and/or supply of alcohol off the premises.

7. The Licensee shall display notices requesting departing patrons to have regard to their neighbours.

8. The Licensee shall take all reasonably practicable steps to ensure that bottles and drinking vessels are not taken from the premises.

9. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. New staff will be trained before commencing their duties. Records will be kept of all training. Police to have access to training records on reasonable request.

10. All members of staff at the premises including door supervisors if any, shall see "credible photographic proof of age evidence" from any person who appears to be under the age of 21 and who is seeking to consume alcohol. Such credible evidence, which shall include a photograph of the customer, will either be a passport photograph, driving licence, or proof of age card carrying a "Pass" logo.

11. A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the premises and in a suitable location at the point of sale, including menus, advising customers that they may be asked to produce evidence of their age.

12. The Licensee will continue only to promote responsible drink promotions. In the event that any drink promotion, however modest, is shown to contribute to problems within the vicinity, the Licensee will withdraw such promotion upon the appropriate representations received from Cambridgeshire Police. For the avoidance of doubt the Licensee will not advertise, fly post, promote, sell or supply alcoholic drinks in such a way that is intended or likely to encourage persons to consume alcohol to an excessive extent.

13. The Licensee shall display a public notice visible from the public highway which includes a telephone contact number for a responsible person on the premises to be available should a member of the public wish to call to discuss any matter in relation to the premises.

14. No customers shall be permitted in the garden after 10pm.

15. No draft beer to be sold.

16. All meals are to be served by waiter/waitress service only.

17. No consumption of alcohol is permitted in the garden.

With effect from: 17<sup>th</sup> November 2008.

Dated: 17<sup>th</sup> November 2008 Signed: .....

Assistant Licensing Officer  
(The officer appointed for this purpose)

Please address any communications to:

The Licensing Officer  
Environmental Services Division  
Cambridge City Council  
Mandela House  
Cambridge CB2 1BY  
Tel: (01223) 457899

**Note: An appeal against this decision may be made by the applicant/a person who made relevant representations/the Chief Officer of Police as applicable (see Schedule 5 of the Act) to the magistrates' court for the petty sessions area (or any such area) in which the premises concerned are situated within 21 days from the date of receipt of the notification of the decision.**