

LICENSING COMMITTEE16 December 2004
(2.00pm – 5.05pm)

PRESENT: Councillor Benstead, Dixon, Downham, Hymans (Vice Chair), Liddle, J Rosenstiel (Chair).

Cllrs Phillips and Blencowe attended for 04/m/98 as Ward Councillors.

FOR THE INFORMATION OF THE COUNCIL

Cllr Hymans in the Chair

04/m/95 **MINUTES**

The minutes of the meeting held on 11 November 2004 were confirmed as a correct record and signed by the Vice Chair.

04/m/96 **APOLOGIES**

There were none.

04/m/97 **DECLARATIONS OF INTEREST**

Councillors Dixon (wife had objected to application) and J Rosenstiel (husband, Cllr C Rosenstiel had objected as a resident to application for liquor licence) declared prejudicial interests on 04/m/98. Cllr Dixon left the room and took no part during the consideration of this application. Cllr J Rosenstiel was not present at the start of the meeting and did not attend until 04/m/98 had concluded.

Councillor Downham declared a prejudicial interest in 04/m/103 (Trustee, not a Council appointee)

04/m/98 **PUBLIC ENTERTAINMENT LICENCE (PROVISIONAL) – ANGLIA STUDENTS UNION, EAST ROAD**

Applicants – Mr Mackay (Manager), Mr Cushtiyn (Solicitor)

Objectors – Mr Pitman, Ms Jeffrey (Guest Road Residents' Association), Tricia Wright (Norfolk Terrace and Blossom St RA), Mr Marks, Collier Road.

The Head of Environmental Services (HES) presented the report. The Committee noted that plans of the new premises were on display. The HES tabled a letter of support dated 13 December from the Director of Student Affairs at APU.

The Police Officer re-iterated the point made in his report recommending that a formal liaison group be set-up with representatives from APU, local residents and the police.

The Fire Officer confirmed that an objection would remain until a number of matters, including those detailed in 4.2 of the report were addressed. He stated that the maximum anticipated numbers listed in the application were too high and would be confirmed once all the fire related requirements had been satisfied. The Fire Officer advised the Committee that the works were due to be completed by mid-January. In response to a question from the Solicitor to the Committee, the Fire Officer confirmed that he did not object to the deposited plans. The HES advised the Committee that an additional condition should be added to the licence (if granted) to cover permitted numbers (to be set by the Fire Officer).

In answering questions from the objectors on the report and points made by the relevant officers, the HES confirmed that no complaints were on record for Environmental Health. An objector made the point that he had complained to the Police, but it was not possible to specify the location other than it was within the APU campus.

Mr Mackay for the applicants (the Union) put the case in support. He stated that the application premises were part of a new purpose built complex 'fit for purpose' taking account advice of an acoustics engineer. The Union had held three meetings with residents in the past year and was keen to build on the relationship with residents. He confirmed that the licenses for the current Union would be re-linquished when the new building became operational. He advised the Committee that the building was within the University campus, with personnel and CCTV on site and door managers at the Union had the required training.

Mr Mackay referred to a written document circulated to the Committee, objectors and officers responding to the points made in the officer's report. A copy has been attached to the minute book. Amongst the points referred to were (i) maximum numbers on the busiest day (Friday) were expected to be 650, significantly less than the original 878, (ii) following discussion with the fire officer, an exit route opposite Broad Street would be used at the end of events which would minimise disruption to residents of Bradmore Court, (iii) a programme of measures to minimise disruption to residents.

In response to questions, Mr Mackay advised the Committee that unruly behaviour by students and the general public would lead to a ban and, for students, possible disciplinary action by the University. He stated joining Pubwatch would help the Union with identifying problem customers. The Police Officer stated that during the period of the licence (if granted) he would ensure that duty officers were aware that the building was in use and operational.

Mr Mackay confirmed that the Union operated as a members' club on student-only nights, when guests had to be signed in by a student of APU.

The applicants were asked about the noise during the summer. Mr Mackay stated that the Union, which was under the same management all year round, provided non-alcoholic drinks until 10.30pm as the vast majority of summer school students were under 18. The Solicitor to the Committee reminded members that if the licence was granted it would run for three months only. The Committee would be able to consider

the issues concerning the summer when, and if, an application to renew the licence is submitted.

In response to a question from an objector, the Committee noted that the responses of the applicant were an indication of how the Union would operate under the licence if it were granted. The objector stated that it was important to include the management of APU in addition to the Union on the proposed Liaison Group.

Cllr Phillips addressed the Committee as a Ward Councillor. She stated that constituents had complained to her about late night noise and disturbance within the vicinity of the APU complex. She reminded the Committee that APU was growing in size in what was a very residential area. She supported a three-month licence and suggested that it be regularly reviewed to ensure that residents' concerns were addressed. She strongly supported the Liaison Group and suggested that it be made a condition of the licence. The Solicitor to the Committee advised that agreeing to setting up a Liaison Group could not be made a condition of the Entertainment Licence. It was, however, noted that it was the intention of the applicant to agree to participate in a Liaison Group as referred to in its written submission and the Committee would expect a report back on whether any meetings had taken place. Mr Mackay undertook to include Norfolk Terrace and Blossom Street in the Liaison Group as well as Environmental Health Officers and the Fire Officer. The Police Officer undertook to organise the meetings and the Union undertook to host the meetings.

Cllr Blencowe spoke as a Ward Councillor. He has not received any complaints about the management of the Union. He stated that it would appear that some of the issues raised were to do more with the management of the APU campus as a whole, rather than the Union itself.

The objectors spoke against the application. Residents of Guest Road were concerned by the growth of APU in such a residential area and the knock-on effects that student life had on residential family life in the nearby area. In response to a question from the Committee, an objector confirmed that she had once challenged passers by who had confirmed that they had been at a Union event. Residents of Norfolk Terrace and Blossom Street were concerned at the noise from the APU site, and a lot of disruption seemed to occur soon after events at the Union ended. One objector stated that it was important that the management of the APU were more involved and responsible over the conduct of people on the campus.

The applicant and objectors summed up. The Solicitor to the Committee asked if members required a site visit as suggested in the officer report. The Committee agreed that this would not be necessary.

The Committee adjourned to make its decision.

Resolved -

To approve the grant of a provisional public entertainment licence for 'Kudos' and 'The Academy', Helmore Building, East Road, Cambridge as follows:

SCHEDULE

Mondays-Saturdays - 11am to 12 midnight

Sundays - 12 noon to 11pm

CONDITIONS

1. The premises to be constructed in accordance with the plans marked Drawing No. 3 (16) 00 dated September 2004 by Hawkins/Brown. On completion and subject to:-

a) A satisfactory final inspection.

b) The provision of an electrical certificate in accordance with condition 41 of the Public Entertainment Licence conditions.

c) Noise limiting devices provided and set to the satisfaction of the Head of Environmental Services (HES) to control the sound levels and to prevent noise from the events being audible beyond the site boundary with Broad Street, Flower Street and Bradmore Street.

d) A written scheme of stewarding to encourage students to leave quietly and where possible via East Road, to be provided to the HES for approval.

e) Fire fighting equipment to be provided to the satisfaction of the Fire Officer

f) The permitted numbers to be agreed by the Fire Officer

the HES shall have the delegated authority to confirm the licence, subject to:-

2. The Licence to be for a period of three months from the date of issue in order to allow officers to monitor the events.

3. Programme of events to be supplied to HES.

4. Doors and windows in the licensed areas to be kept shut during events. Internal dividing glazed doors to the ground floor and first floor to be kept closed during events. Doors to 'The Academy' on the ground floor and the main entrance to be managed by staff, to prevent them both being open at the same time.

5. One event per week may continue until 2.00am during the three month period, referred to in condition 2 on either Wednesday, Friday or Saturday.

6. No entry to events after 2300hrs.

7. Noise limiting devices set to the satisfaction of the HES as described in 1c above to be used to control the sound levels and to prevent noise from the events being audible beyond the site boundary with Broad Street, Flower Street and Bradmore Street.

8. The written scheme of stewarding as approved by the HES and described in 1d above to be operated to encourage students to leave quietly and where possible via East Road.

9. Any conditions recommended by the Fire Officer.

Cllr Rosenstiel in the Chair.

04/m/99 **PUBLIC ENTERTAINMENT LICENCE (NEW) – PRINCE REGENT,
REGENT STREET**

The applicant was present. In introducing the report, the Head of Environmental Services advised the Committee that the recommended conditions did not include a start and finish time. He recommended that the licence, if granted matched the pub's trading hours ie. ending at 11.00pm or 10.30pm on Sunday. The Police Officer concurred with this recommendation. The Fire Officer confirmed that there were objections as listed in paragraph 4.2 of the report and a maximum number of patrons was still to be set.

The applicant put the case in support. She advised the Committee that it was anticipated that only one event every two weeks would be held. She agreed with the Police view that the licence should operate only during pub hours. She had spoken to the objectors and had taken their points into account and she had advised them that the rear of the property would not be used.

In response to a question from the officers, the applicant advised that the three events should be held by March 2005.

Resolved: Defer, until works requested by HES and the Fire Officer in 4.1 and 4.2 have been completed. Delegate to HES to grant on completion, subject to the following conditions:

1. This licence is for three representative events (a karaoke, a band and another).
2. At least seven days notice of each event to be given in writing to the Head of Environmental Services (HES).
3. Performers shall only be located in the front right bar / lounge area only (as viewed from the Regent Street frontage).
4. All external doors and external windows to be kept shut at all times during performances, apart from the main entrance from Regent Street that allows general ingress and egress which shall be stewarded and kept closed so far as reasonably practicable during events.
5. The external beer garden with seating and tables shall not to be used during events.
6. Only one event to be held per week. A logbook shall be kept by the licence holder, to record the nights when events have been held.
7. Any other conditions as stipulated by the Fire Officer.

04/m/100 **PUBLIC ENTERTAINMENT LICENCE (NEW) - ROSE &
CROWN, NEWMARKET ROAD**

The Head of Environmental Services introduced the report. The Solicitor to the Committee asked if condition 3 in the report could be removed and become a prerequisite to the grant of the licence. The HES stated that would be acceptable and the Committee agreed to the suggestion.

Resolved: Defer, until works requested by HES and the Fire Officer in 4.1 and 4.2 have been completed and a satisfactory electrical certificate has been submitted to the HES.

Delegated authority to HES to grant the licence on completion of the above and subject to the following conditions:

1. This licence is for three events.
2. At least seven days notice of each event to be given to the Head of Environmental Services (HES).
3. Internal entrance door and windows in the entertainment area to be kept closed during performances.
4. Ground floor lounge bar area only to be used for Public Entertainment events.
5. Any other conditions as stipulated by the Fire Officer.

04/m/101 **PUBLIC ENTERTAINMENT LICENCE (NEW) - QUEENS COLLEGE, OLD HALL**

The Head of Environmental Services introduced the report. The Fire Officer advised the Committee of the objections listed in 4.2 of the report. He agreed with the Solicitor to the Committee that maximum numbers permitted would be included in any conditions.

Resolved: Defer, until the works requested by the Fire Officer in 4.2 of the report have been completed. Delegate to the HES to grant subject to any conditions recommended by the Fire Officer.

04/m/102 **PUBLIC ENTERTAINMENT LICENCE (VARIATION) - 'B', MARKET PASSAGE**

The Head of Environmental Services advised the Committee that a letter had been received from the applicant's solicitors requesting a deferral and withdrawing the variation application relating to permitted hours.

Resolved: Defer until 20th January 2005.

04/m/103 **PUBLIC ENTERTAINMENT LICENCE (VARIATION) - ARBURY COMMUNITY CENTRE, CAMPKIN ROAD**

Resolved: To permit an additional 10 events per year between noon and 7pm, subject to existing conditions.

04/m/104 **PUBLIC ENTERTAINMENT LICENCE (RENEWAL AND VARIATION) - PO NA NA FEZ CLUB, MARKET PASSAGE**

The applicant was present and spoke in support. The Head of Environmental Services introduced the report. In response to questions on door stewarding from the Police, the applicant advised the Committee that there were always sufficient door stewards (between 2-6) on duty.

Resolved: To approve the terminal hours on Sunday to 2am and increase capacity to 340.

04/m/105 **PUBLIC ENTERTAINMENT LICENCE (RENEWAL) - CAMBRIDGE
TENPIN, CLIFTON WAY**

The Head of Environmental Services introduced the report. Following questions from the Committee, the officers recommended that the renewal be deferred to the next meeting to investigate the hours granted under planning permission further.

Resolved: Defer consideration to 20 January 2005.

04/m/106 **PUBLIC ENTERTAINMENT LICENCE (RENEWAL) - PURE, 90-92
REGENT STREET**

The applicant was present and spoke in support. The Head of Environmental Services introduced the report and informed the Committee that a transfer application had also been logged. The Committee noted that condition 5 as listed should be changed to 12.30am Sunday (as opposed to 10.30pm as in the report which was a typographical error). The HES recommended that condition 1 be amended to include at the end the wording 'settings to be determined by HES'.

The Committee agreed to the above changes.

Resolved: Approve the applications to renew and transfer subject to the existing conditions, until 31st March 2005, with the following additional conditions:

1. A noise limiter shall be operated at all times when music is played in the premises. (Settings to be determined by HES)
2. A detailed scheme of noise insulation shall be submitted for approval by HES, and the agreed scheme of noise insulation shall be installed and tested by the 31st March 2005. A noise insulation scheme installation completion report shall be submitted for approval by the HES.
3. All external doors and external windows to be kept shut at all times during performances, apart from the main entrance / exit door that allows general ingress and egress which shall be kept closed so far as reasonably practicable during events.
4. External seating / tables shall not to be used during performances.
5. Events shall finish by 1.00 a.m. Monday – Saturday; 12.30 a.m. Sunday.

The meeting ended at 5.05pm.

CHAIR