

**LICENSING SUBCOMMITTEE  
(2003 ACT)**29 September 2008  
10am – 11.30am**Present:** Councillors Boyce (Chair), Hart and Upstone**08/lic/41 Minutes**

The minutes of the meeting held on 1 September 2008 were agreed as a correct record and signed by the Chair.

**08/lic/42 Declarations of Interest**

Members declared the following personal interests:  
Councillor Boyce – his daughter had a vacation job with Threshers.  
Councillor Upstone – as a member of the Co-op

**08/lic/43 Procedure to be Followed**

The procedure for hearings of the subcommittee set out on the agenda was noted.

**08/lic/44 Application for a new Premises Licence: First Quench Retailing Ltd, 60 Hills Road, Cambridge****Present for this application:**

**For the Applicant:** Sue Dixon, Head of Group Licensing, First Quench Retailing Ltd;  
Karyn Cullies, Business Protection, First Quench Retailing Ltd.

**Interested Parties:** Christopher Walker, Chair Highsett Residents' Association; Barbara Bell, Glisson Road and Tenison Road Residents' Association; Sylvia Griffiths, local resident.

Those attending for the applicant said they had sent a fax indicating that they would be attending but this had not been received by the Licensing Officer.

The Sub-Committee agreed that it was in the public interest to allow the representatives of the applicant to take part in the proceedings and there were no objections to this from the interested parties.

**The hearing:** The Licensing Officer presented her report and outlined the application being made.

In response to a request from the Chair, the Licensing officer confirmed that the panel was not able to take demand into account when determining applications.

Sue Dixon presented the case for the applicant. She explained that First Quench Retailing had 1600 branches countrywide and that they had 3 brands. This application concerned their premium brand, Winerack. This was a specialist wine merchant outlet and was quite unlike the Co-op or One Stop Shop nearby as Winerack would not sell milk, bread etc. No Responsible Authorities had objected and it was not in the interests of the business to be at odds with local residents eg about the opening hours. She emphasised that there was a stringent training programme for all staff. She indicated that the applicant was prepared to consider some latitude in the opening hours eg could close at 10pm.

The Members of the Sub-Committee asked questions of clarification of the applicant concerning:

- the justification for opening on Christmas Day;
- the rationale for the proposed opening hours on Christmas Day;
- whether high strength beers and ciders would be sold;
- about the number of Designated Premises Managers per branch (referring to page 30 of the agenda);
- what actions would be taken if staff did sell to under age customers or intoxicated persons;
- whether temporary staff received the same training as permanent staff;
- whether the premises would be covered by CCTV;
- whether refusals to sell would be recorded and whether, if no ID was produced following a challenge about the age of the customer, then refusal to sell would be the standard action.

The objectors explained the basis of their objections to granting the licence:

- there would be an increase in existing problem drinking incidents and in vandalism in Highsett, particularly under age drinking, as young people climbed over the wall behind the doctor's surgery now that gates had been installed at the main entrance to Highsett;
- there were sufficient outlets for the sale of alcohol in the area;
- even with security guards at the Co-op there had still been incidents of assault on staff;
- the 8am start was problematic as that was a popular time for the street life drinkers to start drinking;
- the area felt unsafe to walk about in due to the high level of alcohol related crime;
- there would be a cumulative impact on the area (even though not a cumulative impact zone) because the Co-op and the One Stop Shop had similar opening hours to those proposed;
- Hills Road is a main thoroughfare between the railway station and the city centre particularly on Friday and Saturday evenings. Youths were buying bottles (and even crates) to take to the station or which were consumed in the grounds of Highsett;
- although the applicant would run the premises well, people would be drawn to the area thus increasing the anti social behaviour already mentioned;
- the area had changed from being a pleasant residential area;
- Hills Road should be made a Cumulative Impact Zone because of the high levels of vandalism and anti social behaviour;
- people urinated and defaecated in the gardens of properties in the Glisson Road area; they damaged cars by climbing on the roofs and stamping on them as well as breaking windows;
- puzzlement that a new shop was to open when the same company had closed an outlet only 5-6 years previously.

Members of the Sub-Committee asked questions of clarification of the residents:

- when did they think the peak times of incidents of anti-social behaviour were;
- would they be happier if the closing time were 10pm.

This led the objectors to cite more examples of anti social behaviour and they agreed that any concessions in opening hours including not opening on Christmas Day would be welcomed.

Members of the Sub-Committee retired at 11.02am to consider the application and returned at 11.27am with a verdict.

**The Decision:** In reaching the decision on the application, the Sub-Committee considered material presented orally and in writing, the representations made by the Applicant and the Interested Parties, the Council's Statement of Licensing Policy and the statutory guidance under the Licensing Act 2003. The list of the interested parties who spoke at the meeting appears in the minutes of the meeting.

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:**

To grant to the applicant the new premises licence as follows:

Sale/supply of alcohol (off the premises) and hours premises are open  
Mon-Sun 10.00 to 22.00

Seasonal variation

Good Friday 10.00 to 22.00

No sale of alcohol on Christmas Day.

The Sub Committee decided to retract the opening hours of the premises from those applied for in order to prevent the occurrence of public nuisance.

The following conditions are to be incorporated in to the licence holder's operating schedule:

The Prevention of Crime and Disorder

There will be no irresponsible drinks promotions.

Public Safety

All reasonable and practical steps should be undertaken to continually assess and adequately control Health and Safety risks, including property and fire related issues, which have the potential to impact directly on public safety.

Health and Safety policies and procedures shall be regularly reviewed, updated and staff trained in these procedures.

The Protection of children from harm

On occasions when the premises 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.

Staff are to fully trained in alcohol sales with ongoing refresher training.

A 'refusals to serve' book shall be kept and information recorded as appropriate.

With effect from: 29<sup>th</sup> September 2008.

The Meeting concluded at 11.30am

**Chair**