

**LICENSING SUB-COMMITTEE**25 January 2010  
(2:30 pm – 3.40 pm)**PRESENT:** Councillors Stuart, Upstone and Boyce**10/Licsub/11 Appointment of Chair**

Cllr Boyce was appointed Chair.

**10/Licsub/12 Application for a New Premises Licence : JSG  
Wines, 30 Hills Road****Present for this application:**

<b>For the Applicant</b>	<b>Responsible Authorities</b>	<b>Interested Parties</b>
Mr Kodakandala	PC Pete Sinclair	Mr Gawthrop
Mr Gambo		Mr Harris
		Cllr Walker

**The Hearing:** The Licensing Manager presented her report and outlined the application being made. She stated that the Council, as the licensing authority, had received an application for a New Premises Licence for JSG Wines, 30 Hills Road.

The Hearing was to consider the representations made by the Police and Interested Parties. The Licensing Manager advised the Panel of the decision-making options available to them.

The applicant addressed the committee and explained that the application was for a new premises licence at 30 Hills Road for an off licence operating 11am-1am.

In response to questions from the sub committee the applicant confirmed the existing Internet café operation would cease and that a full product range of alcohol would be sold.

PC Sinclair addressed the committee on behalf of the Police Chief Officer and outlined the objections from the Police. Concerns were highlighted regarding the proximity to the city centre and incidents of anti social behaviour. PC Sinclair clarified that the Police were only seeking the use of CAMBAC as a condition between 11pm and 1am.

The Sub-Committee questioned PC Sinclair

1. Does the phasing of closing times around the city have an effect on the problems highlighted? *PC Sinclair explained that problems associated with intoxication increased through the evening, and expressed concern for the safety of staff if the application was allowed for 11pm – 1am.*
2. Is it normal not to have a condition requiring the shop not to sell customers who are drunk? *PC Sinclair advised that was a criminal offence to serve someone who was drunk, but outlined the difficulties in actually refusing a sale.*

Mr Terry Harris addressed the committee as an interested party to object to the proposed premises licence. Concern was raised about the risk of increased anti social behaviour specifically petty vandalism. Further concerns were raised about the affect on Hills Road, due to the narrow pavement potentially jeopardising the free movement of emergency services and other traffic. It was stated that the streets were contaminated with human waste and it was disgusting, all caused by alcohol.

Mr Frank Gawthrop addressed the committee as an interested party to object to the proposed premises licence. Mr Gawthrop raised concern about the existing crime levels in the area, and the limitations of CCTV. Residents were suffering very badly and were fed up with it. Further concerns were raised about the unsupervised nature of drinking associated with off licences and the question of hostels for young people in the area.

Cllr Walker addressed the committee as an interested party on behalf of Jenny Jocelyn. Concerns were raised about anti-social behaviour; existing shortage of parking and potential displacement. Reference was made to the recent revision of the S30 dispersal order, and a recent LSP publication highlighting the effect of alcohol on the local

economy.

Cllr Boyce questioned the applicant as to whether he would accept a 11pm closure. The applicant outlined the reasoning for seeking a 1am closure and the mechanisms in place to support the proposed opening hours. The applicant highlighted a number of other premises in the vicinity opening beyond 11pm, however following a request for clarification the applicant explained this included restaurants, pubs and cafes.

Mr Gawthrop explained that ideally the residents would prefer no licence to be issued, but asked whether it is possible to impose a 10pm closure time consistent with a previous application in the area. Cllr Boyce explained that in the case referred to, the applicant had offered 10am-10pm opening hours.

The Legal Advisor asked whether the panel wished to consider the representation about the publication of the notice. Cllr Boyce invited Mr Harris to address his complaint to the panel, but Mr Harris said that he was seeking a resolution through the formal complaint process.

### **Resolved :**

The Sub Committee decided to grant the application with a terminal hour of 23.00 for both sale of alcohol and opening hours, subject to the conditions proposed by the police and minus those conditions which related to a closing hour later than 23.00. The Sub Committee gave greater weight to PC Sinclair's evidence because it addressed the specific premises and they accepted that it was necessary to restrict the opening hours in order to meet the licensing objectives, particularly those that relate to public nuisance.

The conditions attaching to the licence are as follows:

#### The Prevention of Crime and Disorder

1. A digital CCTV system with appropriate recording equipment will be installed, operated and maintained throughout the premises internally to cover all public areas with sufficient numbers of cameras as agreed with Cambridge Police. Images shall be retained for 31

days and made available to the police or authorised officer on reasonable request. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy with GMT.

2. Alcohol will not be stacked for display in the threshold of the entrance/exit door.

### Public Safety

3. An incident book is kept on the premises and that staff are trained in the completion of this. Incident reports containing the names and details of offenders will be passed to the City Cambac manager.

4. Patrons will be actively discouraged from congregating outside the front of the premises.

### The Prevention of Public Nuisance

5. Except for ingress/egress all doors and windows will be kept closed at night to prevent noise nuisance.6. Particularly at night customers who may be loud or rowdy will be asked by staff to leave the premises quietly and with due consideration for neighbouring properties.

7. Notices will be displayed in a prominent customer facing area to that effect.

8. Patrons who frequent the premises and behave in a disorderly manner or regularly leave in a noisy fashion will be banned.

### The Protection of Children from Harm

9. Clear signage relating to the sale of alcohol and Challenge 21 or Think 21 will be displayed in the section of the store where alcohol is displayed and at tills.

10. There will be a voluntary agreement to only accept identity cards with the "Pass" accreditation; passports or photo ID driving licences; any National identity card as ruled by any British Court as a bona-fide recognised form of identification or any future identification card as

approved by central government; as bona-fide recognised forms of identification.

11. Clear signage relating to the offence of customers proxy purchasing on behalf of under 18's will be displayed in the section of the store where alcohol is displayed and at the tills.

12. There must be maintained a 'Refusals Book' or refusal recording system in operation at the premises.

**CHAIR**