

LICENSING SUB-COMMITTEE

18th April 2024
LICENSING ACT 2003
APPLICATION FOR A NEW PREMISES LICENCE
Rumpoles, 22 Bridge Street, St Ives PE27 5EG

1. INTRODUCTION

1.1 Huntingdonshire District Council as the Licensing Authority has received an application for a new premises Licence:

from **Mr Shane Fazackerley, on behalf of Extranjero Ltd**

for the premises **Rumpoles, 22 Bridge Street, St Ives PE27 5EG**

The Application was received on the 20th February 2024. As required under the Licensing Act 2003, notice of the application was advertised by blue notices displayed at or near the premises from the 23rd February 2024. The 28-day consultation period ended on 20th March 2024.

1.2 A copy of the application is attached as **Appendix A** (application) & **Appendix B** (plan).

2. INFORMATION

2.1 The Premises Licence application is applying for the following activities:

a. **Supply of alcohol for consumption ON the premises**

Mondays to Thursdays – 10:00 to 16:30

Fridays and Saturdays – 10:00 to 22:30

Sundays – 10:00 to 15:30

Seasonal Variations – Christmas Eve and New Years Eve until 00:30 (the following morning), Friday and Saturday of the St Ives Jazz and Blues Festival until 00:30 (the following morning) – two months' notice to be given

b. **Performance of recorded music (indoors)**

Mondays to Thursdays – 10:00 to 17:00

Fridays and Saturdays – 10:00 to 23:00

Sundays – 10:00 to 16:00

Seasonal Variations – Christmas Eve and New Years Eve until 01:00 (the following morning), Friday and Saturday of the St Ives Jazz and Blues Festival until 01:00 (the following morning) – two months' notice to be given

c. **Hours premises are open to the public**

Mondays to Thursdays – 10:00 to 17:00

Fridays and Saturdays - 10:00 to 23:00

Sundays 10:00 to 16:00

Seasonal Variations – Christmas Eve and New Years Eve until 01:00 (the following morning), Friday and Saturday of the St Ives Jazz and Blues Festival until 00:30 (the following morning) – two months' notice to be given

2.2 Section 'M' of the application form addresses the four licensing objectives. Any proposals made in this section are normally translated directly into enforceable conditions that will be attached to the premises licence. Paragraphs 8.41- 8.49 and Section 10 of the Home Office guidance issued under section 182 refer to the operating schedule and licence conditions

3. REPRESENTATIONS

3.1 As part of the consultation the Responsible Authorities as determined under the Licensing Act 2003) were consulted on the application. Their responses can be seen in summary at **Appendix C**.

3.2 During the period for representation a total of 2 valid representations were received from 'other persons'. The representations and any subsequent correspondence are attached as **Appendix D**.

3.3 A person who has submitted a relevant representation is entitled to address the Licensing Sub-Committee at the hearing and ask questions of any other party appearing at the hearing.

3.4 Not all matters raised within the representation may be relevant matters for consideration under the Licensing Act 2003.

4. MEDIATION

During the consultation period, the Police and the applicant came to an agreement to add extra conditions as follow.

1. It is considered that for the nature of the operation door supervisors will not normally be required, however the need for SIA presence at the premises will be risk assessed on a regular basis by the licence holder. A record of this risk

assessment shall be kept at the premises and made available on request to an authorised officer of the Licensing Authority or the Police

2. Staff must have completed their alcohol training (covering relevant licensing legislation and prevention of harm) prior to being authorised to sell alcohol. The training is to be carried out at least once every 6 months and written records of the training must be kept and made available for inspection by Cambridgeshire Constabulary or an authorised officer of a responsible authority for inspection upon request.
3. All staff must complete welfare and vulnerability training. This is to include 'Ask for Angela' Scheme (as long as it is still in operation). The training is to be carried out at least once every 12 months and written records of the training must be kept for inspection by Cambridgeshire Police or an authorised officer of a responsible authority.
4. Prominent, clear and legible notices shall be displayed at the exit, requesting patrons departing to respect the needs of local residents and to leave the premises and the area quietly.
5. Staff will take reasonable steps to ensure that customers do not take partly consumed alcoholic products or drinking receptacles away from the premises.
6. No customers carrying opened bottles of alcoholic drink upon entry shall be admitted to premises at any time.
7. Any outside seating area will be closely monitored, and tables promptly cleared of items after customer use.
8. All alcohol sales will be delivered to seated customers by way of waiter/waitress service.
9. An Incident Report Log and Refusals register are to be maintained. These documents shall be kept on the premises at all times and shall be produced to an authorized person on request.
10. A written delegation of authority record will be kept at the premises whereby non personal licence holders are authorised to make sales on behalf of the Designated Premises Supervisor.
11. Digital CCTV with appropriate recording equipment shall be installed, operated and maintained throughout the premises internally to cover all public areas with sufficient numbers of cameras agreed with Cambridgeshire Police. This shall include cameras covering the external frontage of the premises. The system will be switched on and live during all times that the public have access to the premises for licensable activities. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy and will be changed when British Summer Time starts and ends. The CCTV at exit points will record a clear facial image of every person entering in any light condition. Footage shall be stored for a minimum of 31 days. In the event that images are requested from a constable or authorized officer of a responsible authority the management will ensure a staff member who is conversant with the operation of the CCTV system shall be on the premises at all times the premises are open to the public. This staff member shall give full and

immediate cooperation and technical assistance to them in the event that CCTV footage is requested for the prevention and detection of suspected or alleged crime or offence and be able to show a police officer or authorized Council officer recent data or footage. In order to comply with the above requirement management staff will be trained to download images from the system onto relevant media.

5. GENERAL DUTY/POLICY CONSIDERATION

4.1 The licensing authority must carry out its functions under the Act with a view to promoting the licensing objectives, each objective has equal importance, the objectives are:

- a. the prevention of crime and disorder,
- b. public safety,
- c. the prevention of public nuisance, and
- d. the protection of children from harm.

4.2 The sub-committee must also have regard to:

- a. its statement of licensing policy, and
- b. any statutory guidance issued under Section 182 of the Licensing Act 2003.
- c. the Human Rights Act 1988
- d. Live Music Act 2012

4.3 The Council must also fulfil 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 its district.

6. DETERMINATION

5.1 In making a decision, this application must be determined on its individual merits having regard to the representations and supporting documents included as part of the report along with additional information considered relevant at the hearing. As part of the decision process the sub-committee is required to give its reasons for any decision arrived at.

5.2 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- Grant the application as applied for
- Refuse the application
- Add additional conditions to the premises licence
- Exclude any licensable activities applied for
- Amend dates and times of licensable activities applied for.

5.3 Any decision made by the sub-committee must be reasonable and proportionate and promote the Licensing objectives.

BACKGROUND INFORMATION

Licensing Act 2003.

Guidance issued under section 182 of the Licensing Act 2003.

The Council's Statement of Licensing Policy.