

4 Cromwell Terrace
St Ives
Cambridgeshire
PE27 5JE

Mrs. Christine Allison
Licensing Manager
Huntingdonshire District Council
Pathfinder House
St. Mary's Street
Huntingdon
PE29 3TN

19/10/14

Dear Mrs Allison

I wish to register my objection to the application for a Licence for the Octagon, Cattle Market, St Ives, PE27 5BH. I am a resident of Cromwell Terrace and my home faces onto the Cattle Market. I wish to object on the following grounds.

1. Process – adequacy of information provided

Section 5.5 of the Huntingdonshire District Council (HDC) Statement of Licensing Policy states "*Applications for premises licenses for permanent commercial establishments should normally be from businesses with planning permission for the property concerned*".

The building as is stands is a wooden structure with large vents in the roof and would not be suitable for the proposed use. The licence application includes a designer's sketch of a new building in brick and glass and I was told when I rang the Licensing team for more information that the licence application assumes that the "building will be completely demolished and rebuilt". However, Cllr Jason Ablewhite, Executive Leader of HDC, informed the local press (Hunts Post 15/10/14) that "the building had historic value which meant HDC would insist on it being kept in its present form rather than being knocked down". No planning application to convert or rebuild the building has yet been submitted so it is not clear on which basis the licence application is proceeding and the licensing authority has no detailed information on which to base assessments of public safety or potential public nuisance arising from this licensing application. Interested parties are similarly unable to access this information.

On this basis, I ask the Licensing Authority to refuse to consider a licence application until a planning application has been received and approved.

I also note that applications "*should show the amount of seating to be provided*" (Section 7.4).

The application does have rough plan attached which indicates tables and chairs inside, but as this relates to a building that does not yet exist and for which there are so far not detailed plans or dimensions, I would question whether this is an adequate basis on which to make an assessment. I also note that chairs are shown outside the building on the sketch provided but not on the plan. No information about the outside seating is provided in the application.

2. Public Nuisance

The application is to serve alcohol, late night refreshments and play music until 1am, 7 nights a week with live music until midnight. No information is provided on whether the music will be amplified.

2.1. Unsuitable site The Octagon is situated in a Conservation Area next to a residential area occupied by a mixed community of families, couples and elderly people. All of the properties in Cromwell Terrace and Cromwell Place, and many on the Quadrant and Station Road, are Listed with original single glazed wooden windows and doors and solid brick walls that cannot be altered and provide poor sound insulation. There granting of a licence for this building would extend night time activities into a new area. The Octagon is an isolated building, surrounded by open spaces, that will create greater noise and light nuisance than a building within a group. We know that noise travels and bounces off surrounding buildings in this area – the Michaelmas fair demonstrates this annually.

2.2. The building The existing building, if it is retained, is wooden structure with an asbestos roof that would need considerable alteration to achieve a reasonable level of soundproofing. If it is to be replaced, the attached sketch shows a two storey building with very large windows on all sides – a design such as this with so much glass would be more difficult to sound proof and would result in light spillage into the surrounding neighbourhood until late at night.

2.3 Noise The proposed operation would generate noise 7 nights a week from the early evening when local residents will be putting their children to bed until the early hours after most people will want and need to be asleep. This will be especially bad in the summer when residents need to open their windows and more people will congregate outside the premises.

Noise will arise from several sources:

- Music being played and large numbers of people talking, which even if shielded by the building, will increase when people open doors to go in.
- The use of outside tables, smokers and groups congregating outside.
- The noise generated by people arriving and, especially, leaving.
- Deliveries, disposal of bottles, etc.

Anyone leaving late in the evening or at closing time by car or taxi will leave the Cattle Market car park by one of two exits both of which are very close to residential properties. The increase in traffic late at night resulting from the activities proposed will increase disturbance to local residents on Cromwell Place, the Quadrant, Meadow Lane and Needingworth Road. The natural routes for anyone arriving or departing on foot will also pass residential properties in the same area. People who have been drinking are less aware of their impact on others and noisier, tending to shout to each other, slam car doors, toot their horns etc.

Local residents already intermittently experience loud and noisy behaviour from groups leaving the town centre late at night, although this is currently limited to occasional events.

2.4 Litter Local properties already experience bottles, cans and food packaging thrown into the street and gardens.

3. Crime and Disorder

The application is to sell alcohol from 10am to 1am every day. The Octagon and the surrounding streets are in a designated place under the Alcohol Consumption in Designated Public Places Regulations 2007, because local residents and visitors have previously felt uncomfortable and intimidated by groups of drunken people congregating and drinking in public. This measure has reduced the problem in the daytime although it still occurs occasionally. At night, rowdy and drunken behaviour and criminal damage is experienced intermittently by local residents in this area and regularly in other parts of the town centre– this primarily arises from groups dispersing from the town centre late at night. I have personally experienced drunken shouting and screaming, fighting, throwing objects (bottles, road signs and temporary barriers), and urinating in gardens. Residents of St Ives also regularly experience alarming and antisocial driving in the car park, on local roads and on the Ring Road.

4. Cumulative impact

The Huntingdonshire District Council's Statement of Licensing Policy (section 8) recognises the possibility of cumulative impact and paragraph 8.8 allows for interested parties to raise the issue of cumulative impact with reference to a new application. St Ives is perhaps unusual in having a large number of residents still living right in the town centre and the area just outside it, many in historic properties. This contributes to the character of the town and its thriving sense of community. There are, however, already a large number of premises with licenses to sell alcohol (on and off licence), serve late night refreshments and provide entertainment until the early hours in St Ives town centre.

Public nuisance (especially noise and littering) and crime and disorder (anti-social behaviour, violence, criminal damage) already results from these activities in parts of the town centre and spreads out from it. Groups tend to move around between these establishments, creating noise and disturbance as they go and then when they leave the area. Disturbance and disorder does not necessarily occur in the immediate vicinity of licensed premises and measures such as premises CCTV and doormen do not ameliorate it, indeed they can exacerbate the problem for residents pushing trouble a short distance away. Disturbance continues after the main premises close – extending at times to 2 or 3am. It is not possible for local residents or authorities to know exactly which establishments have been visited. This application is to license a new building not currently or historically used for the sale of alcohol or late at night and in an area slightly apart from existing licensed premises. This will exacerbate existing problems of public nuisance and crime and disorder and extend the area they occur in.

5. Public safety

5.1 Pedestrian and customer safety The Octagon is sited on a small pedestrian area within a car park, immediately next to the point where cars move through a narrow section between two different areas of the car park. Pedestrians also need to move across the car park between the library and Waitrose on one side, the bus station and the rest of the town centre on the other. As a person who regularly does this, I can testify that this can be difficult to manage safely with cars parking and moving, sometimes rapidly, within the car park or exiting from the nearest (narrow) car park exit. The site is also adjacent to the bus station, and a very difficult junction where Market Road meets Market Hill and Station Road, and is complicated by the bus station exit, a car park exit, a pedestrian crossing and twice weekly markets. There has already been a fatal accident this year at this point, when a pedestrian was crushed between a car and a bus. Serving alcohol right in the middle of this area and increasing late night traffic, would not be conducive to public safety, especially as customers would step out of the building immediately into this difficult area. Furthermore, the outside tables shown in the accompanying sketch, would obstruct pedestrian access at a dangerous point. I believe this is a licensing as well as a planning issue.

5.2 Public Health I also wish to draw attention to the a recent report by researchers at Edinburgh and Glasgow Universities that found that neighbourhoods with the highest numbers of licensed premises have the highest rates of alcohol-related illness and death (Richardson, E.A., Shortt, N.K., Pearce, J. & Mitchell, R. 2014, *Alcohol related illness and death in Scottish neighbourhoods: is there a relationship with the number of alcohol outlets?* A report for Alcohol Focus Scotland <http://www.alcohol-focus-scotland.org.uk/media/89684/cresh-research-alcohol-outlets-and-health.pdf>) In response to this report Dr Evelyn Gillian, chief executive of Alcohol Focus Scotland said “If we want fewer people to end up in hospital or lose their lives because of alcohol, we have to be concerned about the high number of alcohol outlets in our neighbourhoods. Licensing boards have a key role it play in regulating the overall number of licenced premises and their decisions should be informed by studies such as this.” (BBC News Scotland 7/10/2014).

On the basis of these objections I request that, if and when, the Licensing Authority consider this application the Licence is refused.

Yours sincerely

F J Wright

Felicity Wright (known as Lissie Wright)

Mardon, Sarah (Licensing)

From: [REDACTED]
Sent: 20 October 2014 12:09
To: Mardon, Sarah (Licensing)
Subject: Re: Licence application for the Octagon, Cattle Market, St Ives

Dear Sarah

Thank you for this response. No these conditions do not meet my objections. They do not address the suitability of the site or the issues about planning permission and sufficiency of information. They do not address cumulative impact. The premises will still be operating late at night – local residents need to put their children and grandchildren to bed long before midnight. Local residents may want to go to bed themselves much earlier than midnight, especially given that many of them have to get up early to commute to work or college. The conditions mostly impact on behaviour within the premises or immediately outside not on the behaviour of people dispersing from the premises. They do not address noise caused by people arriving or leaving. For the conditions to be effective there would need to be effective enforcement – this can be very difficult and with cuts to local authority services and the police is unlikely. I assume that similar conditions apply to existing licensed properties but here is a regular list of anti-social behaviour associated with them in the monthly police reports, and those relate to the incidents that are reported and police attend. Enforcement will be dependent on local residents reporting difficulties. This is in itself disruptive and burdensome– as I have found from trying to report antisocial driving. What happens is people give up and have to put up with it or they move away and the area suffers.

I wish to maintain my objections.

Lissie Wright

From: Mardon, Sarah (Licensing)
Sent: Monday, October 20, 2014 11:30 AM
To: [REDACTED]
Subject: RE: Licence application for the Octagon, Cattle Market, St Ives

Ms Wright

Many Thanks for your email and attached letter, I confirm your comments are relevant under the terms of the Licensing Act 2003.

The application is subject to ongoing mediation between the Police and Environmental Health, during the consultation period.

This mediation has resulted in some changes to the application as originally advertised. Detailed below are the additional conditions and changes to timings that have been made to the application.

Conditions agreed with Police

1. All staff shall be trained in the requirements of the Challenge 25 policies.
2. Any person managing or supervising staff in the sale of alcohol or other licensable activity in the absence of the DPS shall be the holder of a personal licence.

3. A written incident book shall be maintained to record any activity of a violent, criminal or antisocial nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.
4. The incident book shall be available for inspection at all reasonable times by an authorised officer of relevant responsible authority. The records will be retained for at least 12 months.
5. All door staff shall be trained in the requirements of the Challenge 25 policies, and the correct procedures to be followed when refusing entry. (Refusals log)
6. A minimum of two SIA Registered door supervisors will be employed on Friday and Saturday evenings from 10:00 hours till the premises are closed.
7. The Premises Licence Holder and/or Designated Premises Supervisor shall ensure staff and door supervisors do not allow any drinking vessel, glass or bottle to be taken from the premises.
8. CCTV equipment shall be installed and maintained in good working order and continually record when licensable activity takes place. The system shall cover all areas of the premises to which the public have access including any outside areas. The Images shall be retained for a minimum of 31 days and be made available to the Police or any authorised officer. At all times the premises are open for business a member of staff shall be present who is capable of operating the CCTV system and downloading images at the request of police or other authorised officer.
9. If the CCTV equipment breaks down the Premises Licence Holder shall ensure the Designated Premises Supervisor, or in his/her absence other responsible person, informs the Licensing Authority and the Police as soon as is reasonably practicable and within 24 hours. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.
10. The Premises Licence Holder and/or Designated Premises Supervisor shall ensure that any outside area included in the licence will be controlled in a safe and effective manner to the same standard operated within the premises building and will pay special attention to the impact that the use of the outside area has on the surrounding community.
11. Tables outside the premise shall be cleared 22:00 hours.

Opening Hours:

Monday, Tuesday & Wednesday : 08:00 to 00:00 Thursday, Friday & Saturday: 08:00 to 01:00 Sunday : 10:00 to 01:00

Sale of Alcohol from:

Sunday to Wednesday: 10:00 to 00:00

Thursday, Friday & Saturday: 10:00 to 01:00

Conditions Agreed EH

All windows and doors to be kept closed during any performance of live or recorded music inside the premises.

The music noise level, measured as a 15 minute L(A)eq, 1 metre from the façade of noise sensitive properties, or within noise sensitive rooms with doors and windows open in a typical manner for ventilation, shall not exceed the representative background level L(A)90 (without entertainment noise). And, The L10 of the entertainment noise measured over 15 minute period 1 metre from the façade of noise sensitive properties, or within noise sensitive rooms with windows open in a typical manner for ventilation, shall not exceed the representative background noise level L90 (without entertainment noise), in any third octave band between 40 Hz and 160Hz.

For events continuing after 23:00, the music noise should not be audible within noise sensitive premises with windows open in a typical manner for ventilation.

If these changes do not sufficiently address your concerns, your representation to be heard by the Licensing Sub-Committee.

If the changes are satisfactory, please confirm by formally withdrawing your representation.

Please confirm how you wish to proceed.

Sarah Mardon
Licensing Officer
Huntingdonshire District Council
Pathfinder House
St. Mary's Street
Huntingdon
PE29 3TN
Tel: 01480 387075

From: Jones, Nadine (Licensing) **On Behalf Of** Licensing
Sent: 20 October 2014 08:54
To: Mardon, Sarah (Licensing)
Subject: FW: Licence application for the Octagon, Cattle Market, St Ives

From: [REDACTED]
Sent: 19 October 2014 13:04
To: Licensing
Subject: Licence application for the Octagon, Cattle Market, St Ives

Please find attached my objection to the above application. Please acknowledge receipt of this objection.

Yours Lissie Wright

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