



## Cambridge City Council Licensing Sub Committee

**Date:** Monday, 20 June 2022

**Time:** 10.00 am

**Venue:** Committee Room 1 & 2, The Guildhall, Market Square, Cambridge, CB2 3QJ

**Contact:** [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk), tel:01223 457000

### Agenda

- 1 Appointment of a Chair
- 2 Declarations of Interest
- 3 Meeting Procedure
- 4 Cuba Libre Hearing Report (Pages 7 - 52)

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- Phone: 01223 457000

## Licensing Act 2003 - Licensing Sub-Committee: Hearings Procedure

### Preliminary Matters

1. **The Chair** will commence the hearing by introducing him/herself, the other two members of the Sub-Committee and the officers present.
2. **The Chair** will ask the applicant(s)/the responsible authorities/the interested parties present, and their representatives (if applicable), to introduce themselves and identify their interest in the proceedings.

### Failure of a party to attend the hearing

3. If a party has informed the licensing authority that he/she does not intend to attend or be represented at a hearing, the hearing may proceed in his/her absence.
4. If a party who has not so indicated fails to attend or be represented at a hearing, the Sub-Committee may –
  - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
  - (b) hold the hearing in the party's absence.
5. Where the Sub-Committee holds the hearing in the absence of a party, the Sub-Committee will consider at the hearing the application, representations or notice made by that party.
6. **The Chair** will explain the procedure to be followed at the hearing and will confirm whether the Sub-Committee must reach its decision at the end of the hearing or within 5 working days of the hearing, depending on the application being heard.
7. **The Clerk to the Sub-Committee** will indicate whether any party has requested permission for any other person(s) (other than his/her representative) to appear at the hearing to assist the Sub-Committee in relation to the application, representations or notice of the party making the request. The Sub-Committee will decide whether to grant permission to allow any other person(s) to appear at the hearing on behalf of the party; such permission will not be unreasonably withheld.
8. **The Clerk to the Sub-Committee** will ask whether any party is seeking to introduce any document(s) or other information not previously disclosed to all the other parties to the hearing and the licensing authority. If all the other parties consent, the previously undisclosed document(s) or other information can be produced by a party in support of their application, representations or notice (as applicable).
9. The hearing will take the form of a discussion led by the Chair of the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers that cross-examination is required to

consider the representations, application or notice as the case may require.

10. The Sub-Committee will consider any requests to permit cross-examination on a case-by-case basis. When permission is given to one party, it will also normally be extended to all other parties.
11. The Sub-Committee will decide the equal maximum period of time that each party will have to present their case.

### **The Hearing**

12. *The Licensing Officer will present the report to the Sub-Committee.*
13. Members may ask any relevant questions of the Licensing Officer.
14. *The applicant, or the party who has initiated the hearing, will present their case first.*
15. The party shall be entitled to:
  - (a) give further information in support of their application, representations or notice (as applicable) in response to a specific request by the licensing authority prior to the hearing;
  - (b) question any other party (if permission has been given by the Sub-Committee);
  - (c) address the Sub-Committee.
16. If the Police are a party to the hearing, they will present their case. The Police have the rights listed in paragraph 15 (a) – (c) above.
17. If any other “responsible authority” are a party to the hearing, they will present their case in turn after the Police and have the rights listed in paragraph 15 (a) – (c) above.
18. Any other interested parties will then present their case in turn and have the rights listed in paragraph 15 (a) – (c) above.
19. Members of the Sub-Committee may ask questions of the/each party or any other person permitted to appear at the hearing in support of the party.
20. **The Chair** will invite the applicant, or the party who has initiated the hearing, and any parties making representations, to briefly summarise their points if they wish.
21. **The Chair** will ask the applicant, or the party who has initiated the hearing, and all parties making representations, that they are satisfied that they have said all they wish to.

### **The Decision**

22. In considering any representations or notice made by a party, the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

23. In reaching its decision, the Sub-Committee will disregard any information given by a party, or any person who has been permitted to appear at the hearing, which is not relevant to –
- (a) the application, representations or notice (as applicable) or in the case of another person, the application, representations or notice of the party requesting their appearance, and
  - (b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by the Police, the crime prevention objective.
24. The Sub-Committee may consider its decision in private and may move into private session where it considers that the public interest in so doing outweighs the public interest in that part of the hearing taking place in public. If the Sub-Committee do move into private session then all the parties and their representatives, any other person permitted to appear at the hearing, officers, the public and the press will be asked to leave the room whilst the decision is made.

**The Chair** will tell those present at the meeting the decision taken by the Sub-Committee and the reasons for the decision.

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Agenda Item



**CONSIDERATION OF AN APPLICATION FOR A PREMISES  
LICENCE TO BE GRANTED  
Cuba Libre Restaurant and Bar, 19-31 Regent Street,  
Cambridge, CB2 3AS**

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**To: Licensing Sub-Committee:**

**Report by: Luke Catchpole**

**Senior Technical Officer – Commercial & Licensing**

Tel: 01223 457818 Email: [luke.catchpole@cambridge.gov.uk](mailto:luke.catchpole@cambridge.gov.uk)

**Wards affected: Market**

## INTRODUCTION

- 1.1 An application under Section 17 of the Licensing Act 2003 for a Premises Licence to be issued in respect of Cuba Libre Restaurant and Bar, 19-31 Regent Street, Cambridge, CB2 3AS has been received from Cuba Libre Restaurant and Bar Limited. The application was served on Cambridge City Council (the Licensing Authority) on 28<sup>th</sup> April 2022 and is attached to the report as Appendix A with a proposed plan of the Premises attached at Appendix B.
- 1.2 The applicant is seeking a Premises Licence for the following licensable activities:
  - Sale of Alcohol – Sunday to Thursday 11:00 to 01:00 hrs;  
Friday and Saturday 11:00 to 03:00 hrs.
  - Live Music - Wednesday 18:00 to 23:00 hrs;  
Thursday and Friday 18:00 to 00:00 hrs;  
Saturday 12:00 to 00:00 hrs;  
Sunday 12:00 to 23:00 hrs.
  - Recorded Music - Sunday to Thursday 08:00 to 01:00 hrs;  
Friday and Saturday 08:00 to 03:00 hrs.
- 1.3 In accordance with the regulations of the Act the application was advertised on the premises and in a local newspaper to invite representations from responsible authorities and other persons. The last date for submitting representations was 26<sup>th</sup> May 2022.
- 1.4 Representations were received from two Responsible Authorities, Cambridgeshire Constabulary and Cambridge City Council's Environmental Health Department. A further joint representation was received from two other persons. These representations are attached as Appendix C.
- 1.5 No representations were received from any of the other Responsible Authorities.
- 1.6 The application needs to be determined.

## **2. RECOMMENDATION**

- 2.1 Members must determine the application on its individual merits having reference to the statutory licensing objectives, Cambridge City Council's 'Statement of Licensing Policy' and Cambridge City Council's Cumulative Impact Assessment.

## **3. BACKGROUND**

- 3.1 The proposed premises is located within a Cumulative Impact Area (CIA) and is therefore subject to the Cumulative Impact Assessment. It creates a rebuttable presumption for any new premises licence applications or variations within a CIA, that are likely to add to the existing cumulative impact, will normally be refused if relevant representations are received about the cumulative impact on the licensing objectives.
- 3.2 This is unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.
- 3.3 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy, the Cumulative Impact Assessment and additionally the statutory guidance issued under Section 182 of the Licensing Act 2003. The relevant sections from the Council's Statement of Licensing Policy are:
- Objectives - Section 2
  - Fundamental Principles - Section 4
  - Cumulative Impact - Section 5
  - Licensing Hours - Section 6
  - Licence Conditions - Section 8

## **4. CONSULTATIONS**

- 4.1 The Licensing Act 2003 requires applications made under section 17 of the 'Act' to be served on the Responsible Authorities and they must also advertise on the premises and in a local newspaper circulating within the vicinity of the premises. During the consultation period, Responsible Authorities and Other Persons (any individual, body or business entitled

to make representations to licensing authorities) may make a representation in respect of the application.

- 4.2 Statutory consultation has therefore taken place with Responsible Authorities and interested parties in accordance with the procedures set out in the Licensing Act 2003 and associated regulations made under the 'Act'.

## **5. OPTIONS**

- 5.1 Whilst having reference to the information provided by the applicant and the information raised in the representation and also Cambridge City Council's Statement of Licensing Policy and Cumulative Impact Assessment, the Sub-Committee's decision must be made with a view to promoting one or more of the four licensing objectives, namely:

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

- 5.2 Members should take such steps that they consider are necessary for the promotion of the licensing objectives. The Sub-Committee may resolve:

- (a) to grant the licence subject to the mandatory conditions and those conditions offered by the applicant which may be modified to such extent as the authority considers necessary for the promotion of the licensing objectives;
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) to refuse to specify a person in the licence as the premises supervisor;
- (d) to reject the application.

- 5.3 Members must give reasons for their decision.

## **6. CONCLUSIONS**

- 6.1 The Licensing Authority has a duty under the 'Act' to promote the Licensing Objectives. Each objective has equal importance. In carrying

out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, the Cumulative Impact Assessment and the Statutory Guidance under the Licensing Act 2003 and it is bound by the Human Rights Act 1998. The Council must also fulfill 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 Cambridge.

## **7. IMPLICATIONS**

### **a) Financial Implications**

Cambridge City Council (the Licensing Authority) has a statutory duty to determine applications made under the Licensing Act 2003. The application fees associated with such applications are set by Central Government and are intended to cover the cost of administering the licensing regime.

There are no specific financial implications associated with this report.

### **(b) Staffing Implications**

There are no staffing implications associated with this report.

### **(c) Equal Opportunities Implications**

No Equality Impact Assessment has been conducted as the only consideration in reaching a decision is whether the granting of the application will undermine the statutory licensing objectives.

### **(d) Environmental Implications**

Any environmental implications that need to be considered must specifically relate to the promotion of the statutory licensing objectives and will be contained in the representations made by the responsible authorities or interested parties.

### **(e) Community Safety**

Cambridge Constabulary, Cambridgeshire Fire & Rescue Service, Cambridge City Council's Environmental Health Team, Cambridge City Council's Planning Service, Cambridgeshire County Council's Child Protection & Review Unit, Cambridgeshire County Council's Trading

Standards Department and the Public Health Director were consulted as part of the application process and could have made representation if it was considered that the granting of the application would undermine one or more of the statutory licensing objectives.

Those making representations would have raised any relevant community safety implications.

**8. BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

- [Licensing Act 2003](#)
- [The Licensing Act 2003 \(Premises licences and club premises certificates\) Regulations 2005](#)
- [Guidance issued under section 182 of the Licensing Act 2003](#)
- [Statement of Licensing Policy - Cambridge City Council](#)
- [Statement of Licensing Policy: Cumulative Impact Assessment - Cambridge City Council](#)
- [Cambridge City Council – Guidance for Applicants](#)

**Appendix A** – Application form

**Appendix B** – Plan of premises

**Appendix C** – Representations

To inspect these documents either view the above hyperlinks or contact Luke Catchpole on [commercial@cambridge.gov.uk](mailto:commercial@cambridge.gov.uk).

The author and contact officer for queries on the report is Luke Catchpole on [commercial@cambridge.gov.uk](mailto:commercial@cambridge.gov.uk)

Date originated: 6<sup>th</sup> June 2022

Late updated: 6<sup>th</sup> June 2022

\* required information

### Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
<p>Are you an agent acting on behalf of the applicant?</p> <p><input type="radio"/> Yes      <input checked="" type="radio"/> No</p>		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

* First name	Gustavo Enrique	
* Family name	Garcla-Lopez	
* E-mail	[REDACTED]	
Main telephone number	[REDACTED]	Include country code.
Other telephone number		
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		
<p>Are you:</p> <p><input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader</p> <p><input type="radio"/> Applying as an individual</p>		<p>A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.</p>

### Applicant Business

Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	13679823	
Business name	Cuba Libre Restaurant & Bar Ltd	If your business is registered, use its registered name.
VAT number	GB [REDACTED]	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An Individual or Individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21****NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Contact Details

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

The premises is based in a prime area in the main street in the city centre, next door to Parker's Piece. It was formerly Pizza Hut. It is a semi-detached building. The entrance leads to the main seating area and bar. The kitchen is adjacent to the bar. The public toilets are on the first floor, access via internal stairway. There is a disabled toilet on the ground floor. There is no outdoor seating. Alcohol is only served inside.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the performance of live music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Live music from latin music bands with multiple performers playing music such as salsa. This will be amplified via speakers. there is a hallway with 2 sets of double doors between the stage and the outside.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Live music will only take place on Fridays and Saturdays with occasional Thursdays and Sundays.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On occasional Bank holidays there may be music from midday to 1am.

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Music will either be played via a computer application, amplified to speakers. Or a DJ will be playing music in the bar area entertaining people eating and drinking in the premises.

Continued from previous page...

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Playing recorded music will take place as timings above.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On bank holidays timings will be as Saturdays

#### Section 12 of 21

##### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes  No

#### Section 13 of 21

##### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

#### Section 14 of 21

##### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes  No

#### Section 15 of 21

##### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes  No

##### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

no, as above.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

bank holidays will be treated the same as Saturdays.

Continued from previous page...

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

not applicable

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

as above

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Bank holiday opening times will be as Saturdays.

## Section 18 of 21

### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

CCTV has been installed. All new staff will be trained on the points below. Outside lighting has been installed. The airlock between the outside and the restaurant (two sets of double doors) will provide effective sound proofing. Good relationships will be formed with local business to ensure that there is an effective mechanism for complaints to be addressed promptly.

b) The prevention of crime and disorder

Effective and responsible management of premises

Training and supervision of staff

Adoption of best practice guidance (e.g. Safer Clubbing)

Provision and monitoring of CCTV

Any incidences of crime will be reported to the police as soon as reasonably possible.

Employment of Security Industry Authority licensed door staff

Provision of toughened or plastic glasses

Provision of secure deposit boxes for confiscated items ('sin bins')

Provision of litter bins and other security measures, such as outside lighting

Membership of a pub watch scheme

c) Public safety

Suitable risk assessments

Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons

Appropriate instruction, training and supervision of those employed

Adoption of best practice guidance

Provision of effective CCTV

Provision of toughened or plastic glasses

Implementation of crowd management measures

Regular testing (and certification) of procedures, appliances etc. (e.g. PAT testing).

A fire safety inspection will take place before opening to advise on safe capacity limits of the building. These limits will not be exceeded.

We have conducted a suitable Fire Risk Assessment at the premises and implemented the necessary control measures.

All exit doors are easily operable without the use of a key, card, code or similar means.

Exit doors are regularly checked to ensure they function satisfactorily.

All removable security fastenings are removed whenever the

Continued from previous page...

premises are open to the public or staff.

All fire doors are maintained unobstructed and effectively selfclosing and will not be held open other than with approved devices.

Step and stair edges are appropriately highlighted so as to be conspicuous.

Hangings, curtains and temporary decorations are maintained in a flame retardant condition.

upholstered seating is fire retardant and complies with current fire safety regulations.

Curtains, hangings and temporary decorations are located so as not to obstruct exits, fire safety signs or fire-fighting equipment.

Notices detailing the actions to be taken in the event of fire or other emergency are prominently displayed and maintained in good condition.

Access is provided for emergency vehicles and kept clear and free from obstruction at all times.

#### d) The prevention of public nuisance

CCTV / registered door supervisors

Appropriate instruction, training and supervision to prevent incidents of public nuisance

Control of operating hours

Adoption of best practice guidance

Installation of soundproofing, air conditioning, sound limitation devices

liaison with public transport providers

Position of external lighting

Collection and disposal of litter

Effective ventilation systems

#### e) The protection of children from harm

Sufficient number of staff to secure the protection of children from harm

Appropriate instruction, training and supervision of staff in respect to determining the age of a customer

Adoption of best practice guidance

Limitations on the hours when children may be in the premises

Limitations or exclusions by age when certain activities are taking place

Imposition of requirements for children to be accompanied by an adult

Acceptance of accredited 'proof of age' cards and/or 'photo' driving licences

### Section 19 of 21

## NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relating to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (I) a local authority, or (II) a school, or (III) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (I) the local authority concerned, or (II) the school or (III) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (I) a local authority, or (II) a school, or (III) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (I) the local authority concerned, or (II) the school proprietor or (III) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/Index.htm](http://www.voa.gov.uk/business_rates/Index.htm)

The national scale of fees is set out below and also available on our website: <http://www.cambridge.gov.uk/ccm/content/ehws/licensing/fees.en> Please enter and pay the appropriate fee. If you are uncertain of the fee enter 0 in the amount field and the City Council will contact you to advise you of the fee. Please note the application will not be processed until the correct fee has been paid.

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

315.00

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## DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership]

\* I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/cambridge/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

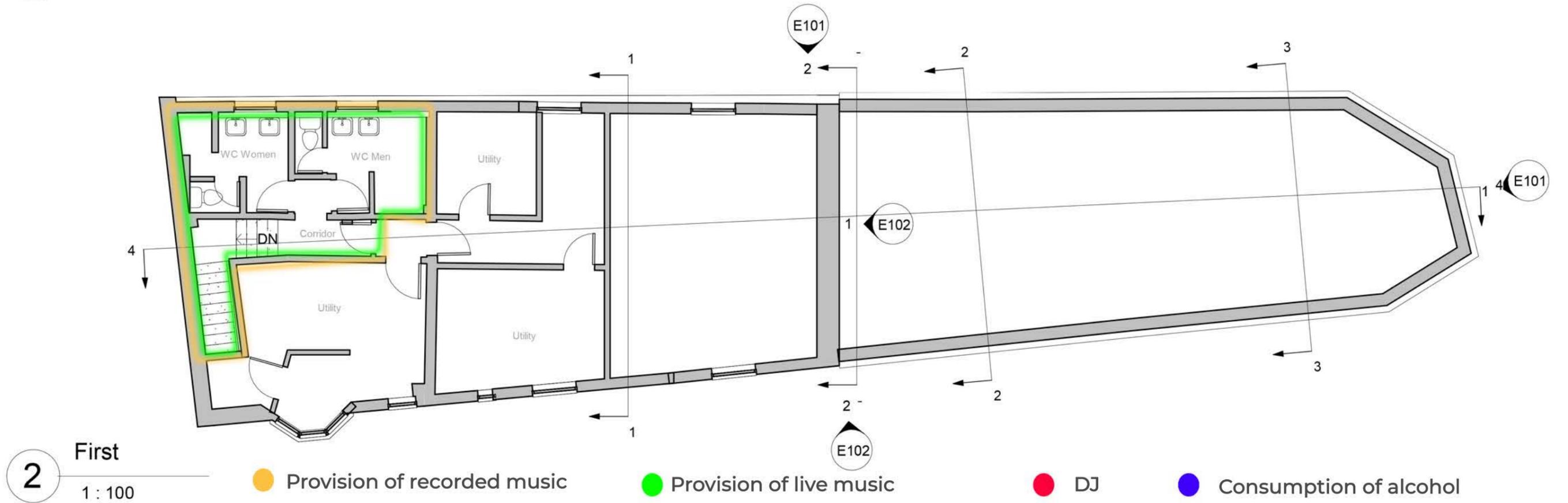
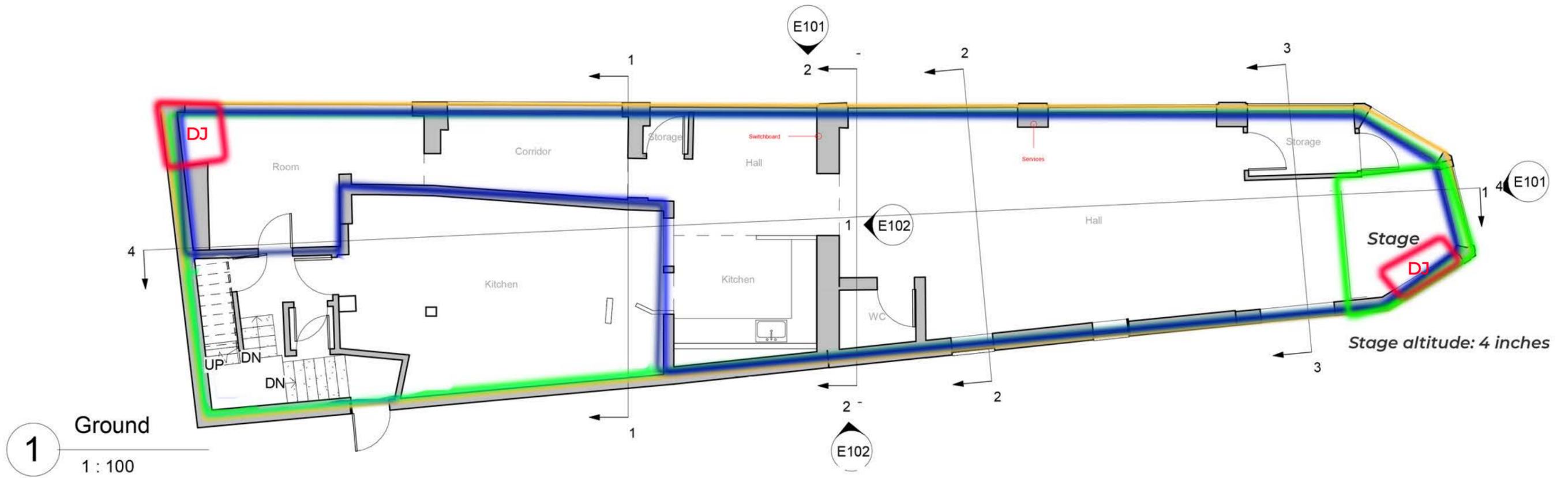
**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)



Cuba Libre

100 Regent Street,  
Cambridge,  
CB2 9AB

### Existing Floorplans

05 Nov 2021



DO NOT SCALE ANY DRAWINGS. ALL DIMENSIONS ARE IN MILLIMETRES (mm) AND ARE TO BE CHECKED ON SITE BY THE CONTRACTOR PRIOR TO ORDERING MATERIALS AND STARTING CONSTRUCTION.

Project Number 21 / 14 E100

Project Status For Approval Scale @ A3 1 : 100



{3D}

1



Cuba Libre

100 Regent Street,  
Cambridge,  
CB2 9AB

Isometric

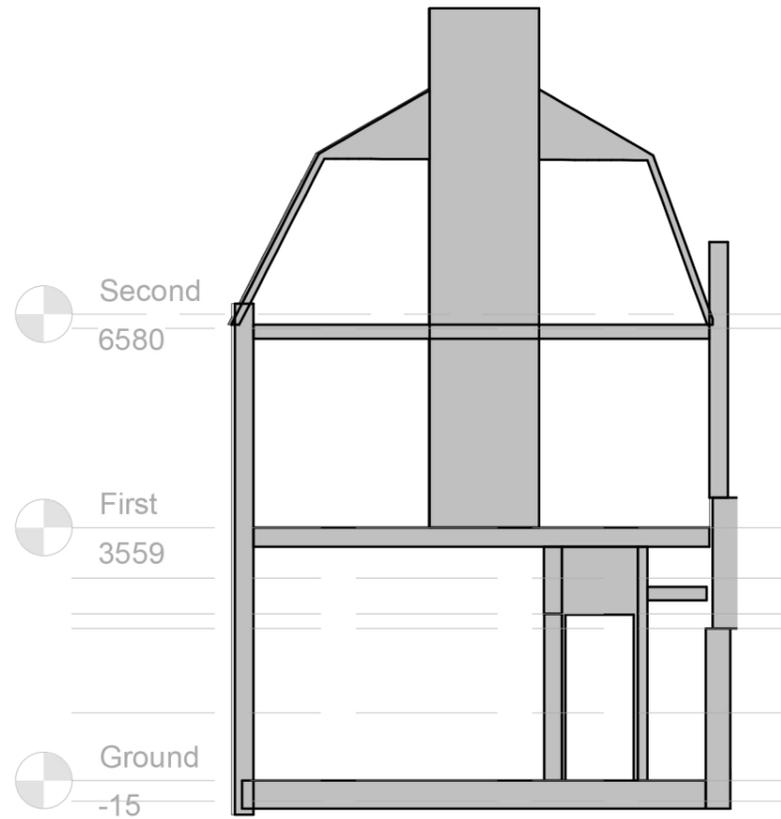
05 Nov 2021

Project Number 21 / 14 E104

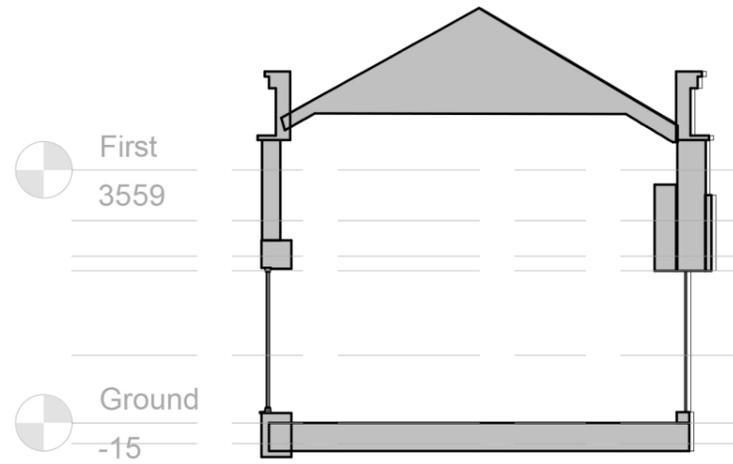
Project Status

For Approval

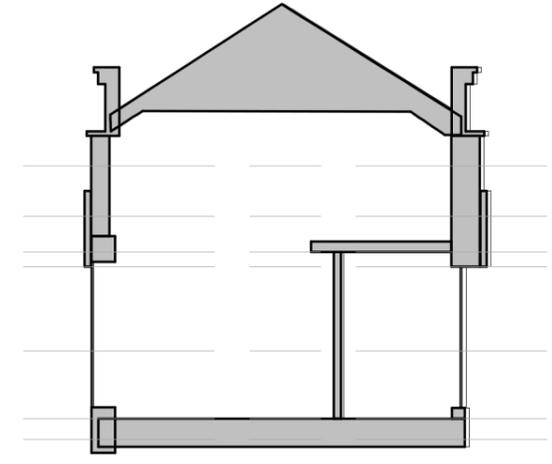
Scale @ A3



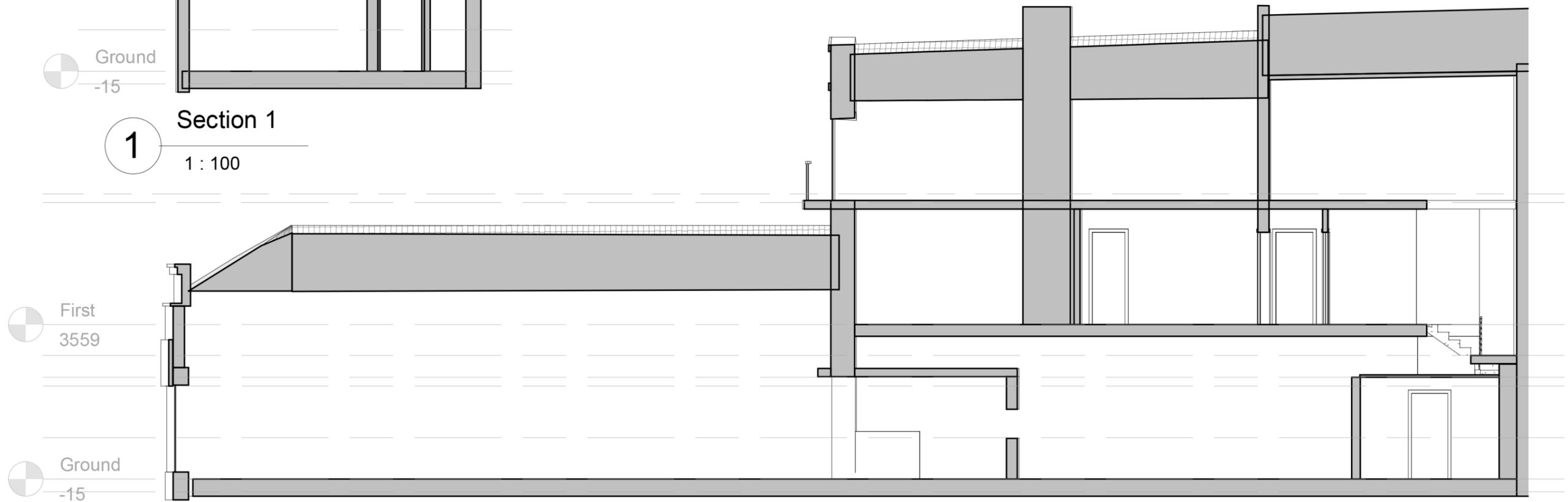
**1** Section 1  
1 : 100



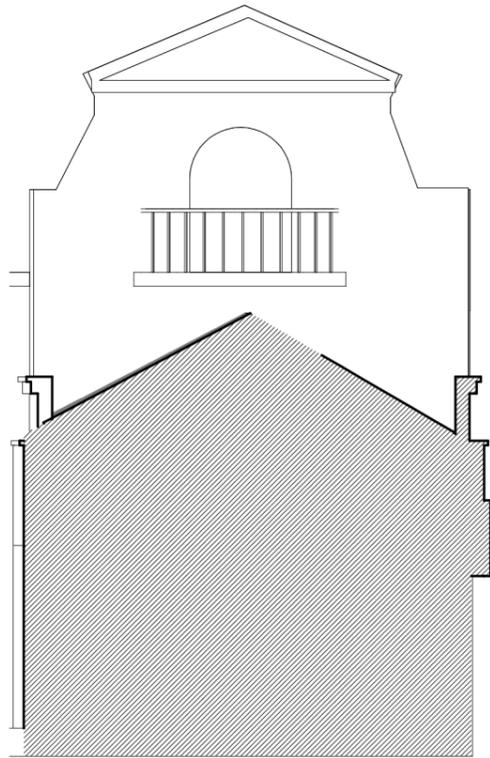
**2** Section 2  
1 : 100



**3** Section 3  
1 : 100



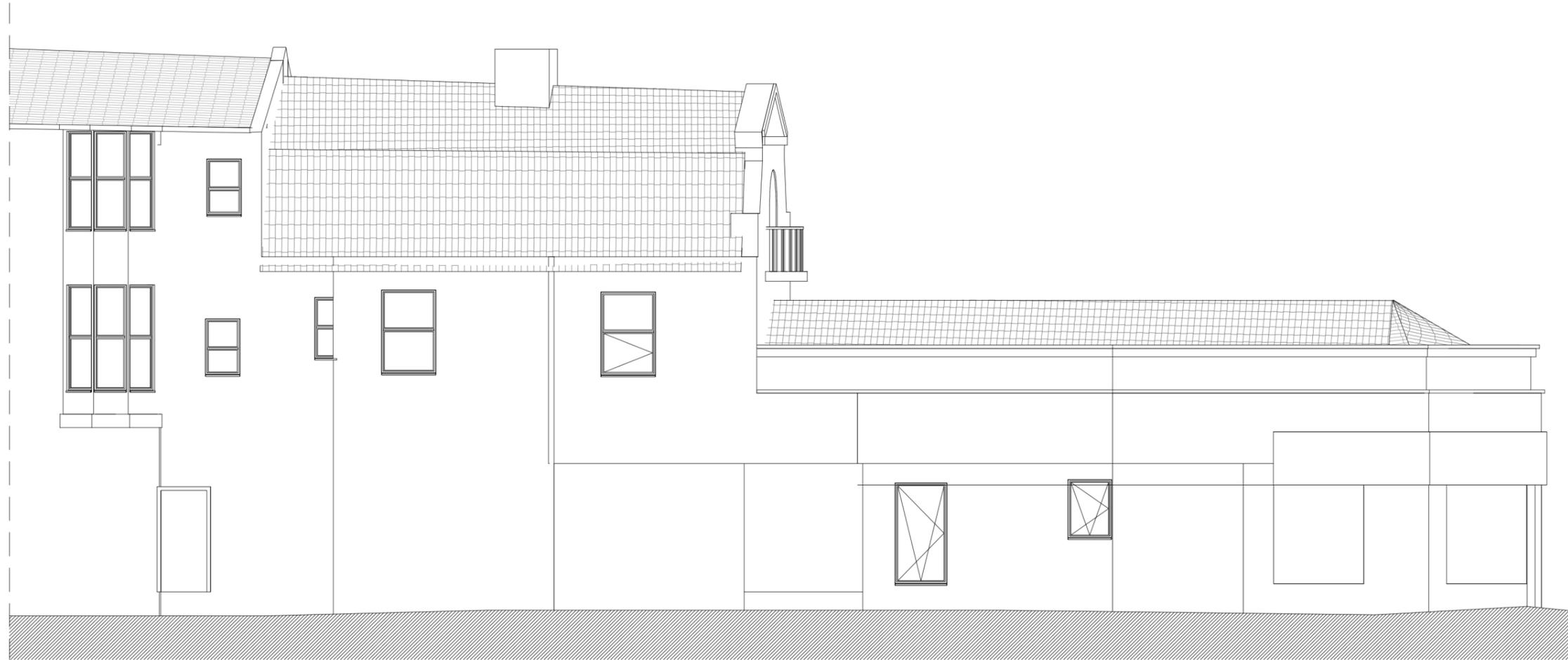
**4** Section 4  
1 : 100



1

Party Wall Elevation

1 : 100



2

Rear Elevation

1 : 100



Cuba Libre

100 Regent Street,  
Cambridge,  
CB2 9AB

Existing Elevations 2

05 Nov 2021

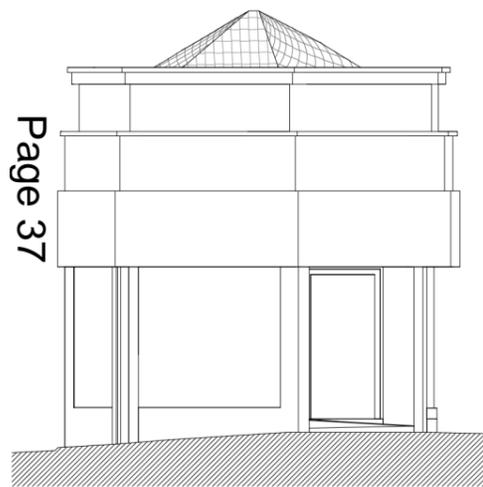
Project Number 21 / 14 E102

Project Status

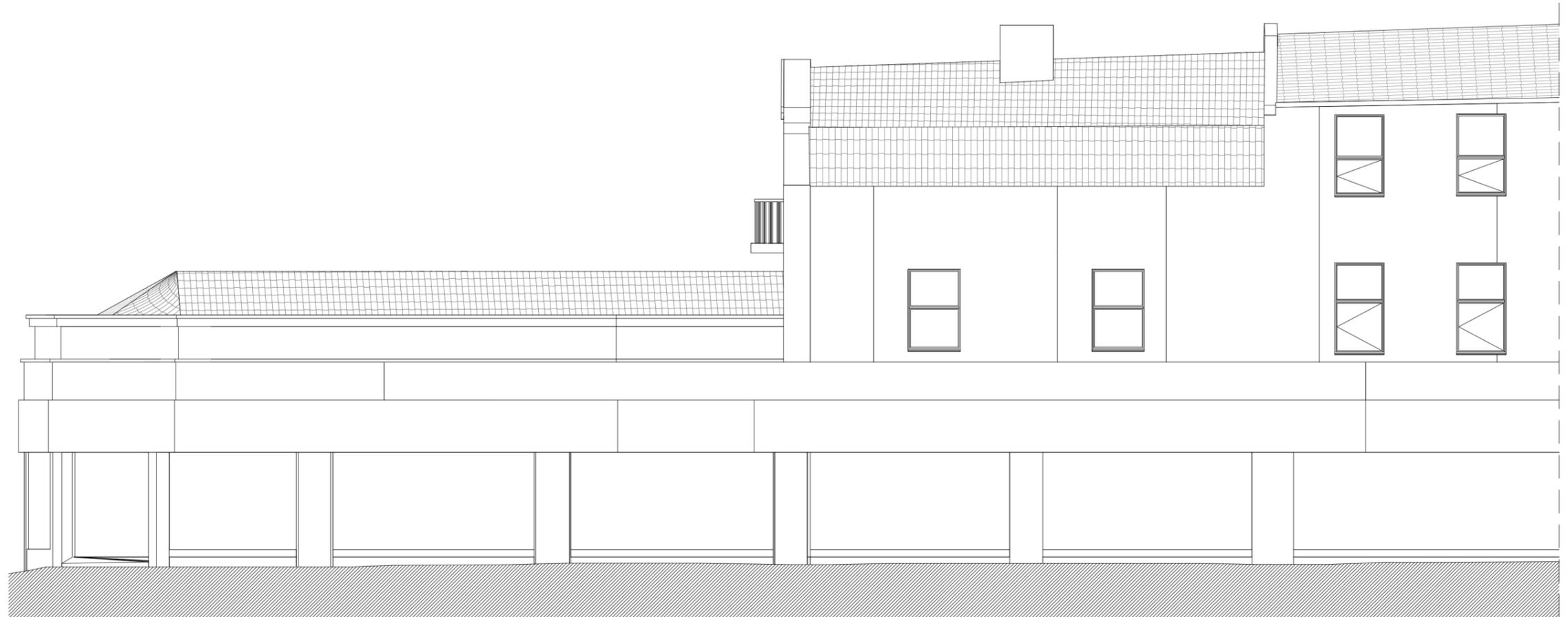
For Approval

Scale @ A3

1 : 100



1 Side Elevation  
1 : 100



2 Front Elevation  
1 : 100



Cuba Libre

100 Regent Street,  
Cambridge,  
CB2 9AB

### Existing Elevations 1

05 Nov 2021

Project Number 21 / 14 E101

Project Status

For Approval

Scale @ A3

1 : 100

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Our Ref: PC446 Metcalfe – Cuba Libre Restaurant & Bar Ltd, Regent St. Cambridge, rep.

Licensing Officer  
Cambridge City Council,  
Mandela House,  
4 Regent Street,  
Cambridge  
CB2 1BY

Date 26/05/2022

Dear Sirs,

SUBJECT: Representation for premises licence relating to Cuba Libre Restaurant & Bar Ltd, 19-31  
Regent Street, Cambridge, CB2 1AB.

Please find attached the Police representation in regard to the new premises licence application submitted by Cuba Libre Restaurant & Bar Ltd, for a licensed premises at 19-31 Regent Street, Cambridge, CB1 1AB.

The premises is situated in a cumulative impact area and this representation is in regard to licensing objectives: Prevention of Crime and Disorder, Public nuisance, Public Safety under Licensing Act 2003.

Yours Sincerely,

[REDACTED]

PC 446 Clare Metcalfe  
Licensing Officer for Cambridgeshire Constabulary  
Operational Planning and Licensing Department,  
Cambridgeshire Constabulary,  
Hinchingsbrooke Park,  
Huntingdon,  
PE29 6NP.



CC:

**THE LICENSING ACT 2003  
REPRESENTATION FORM FOR "RESPONSIBLE AUTHORITY"**

Please delete as applicable: **POLICE**

Your name	PC 446 Clare Metcalfe
Job Title	Licensing Officer, Cambridge Constabulary
Postal Address (inc post code)	Operational Planning and Licensing Department, Cambridgeshire Constabulary, Hinchingsbrooke Park, Huntingdon, PE29 6NP
Contact telephone number:	[REDACTED]
Mobile Number:	[REDACTED]
Email address:	[REDACTED]

Name of Premises you are making a representation about:	Cuba Libre Restaurant & Bar Ltd
Address of the premises you are making a representation about:	19-31 Regent Street, Cambridge, CB2 1AB.

This section is about your representation/s. They must relate to one or more of the Licensing Objectives. Please detail the evidence supporting your representation, (under the relevant headings) and the reason for your representation/s. *It is important that you detail all matters that you wish to be considered. (Use additional sheets if necessary). Regulations provide that in considering representations the authority may take into account documentary or other information produced by the party either before the hearing or, with the consent of all parties, at the hearing.*

Which licensing objective(s) does your representation relate to?	Please see below
The prevention of crime and disorder	Public safety
See Below	See Below
The prevention of public nuisance	Protection of Children from Harm
See Below	

### Background

The premises is situated within the city centre Cumulative Impact Zone (CIZ). It was previously a licensed premises that was home to a Pizza Hut, with the Premises Licence being surrendered in November 2020, and the building not being in use since.

Prior to being notified of the application, Cambridgeshire Constabulary Licensing Department had not received any pre-application advice with regard to this application. Such advice is recommended by Cambridge City Council, and it advertised on the 'Applying for a premises licence' section of their website.

The premises is situated on Regent Street, next to the University Arms Hotel. The entrance/exit door is directly adjacent to a heavily used traffic light controlled pedestrian crossing, and cycleway/footpath.



The other side of the building backs onto Regents Terrace and onto a corner of Parker's Piece. This cycleway/footpath is a busy thoroughfare for pedestrians and cyclists going to and leaving the city centre area at all times of the day and early hours of the morning.

Both Regent Street and Parkers Piece, are areas sensitive to alcohol related issues, especially during night-time hours. Even with mitigating measures being put in place I do not believe a late-night licenced premises in this location would be conducive to Cambridge City Council's Cumulative Impact policy as the problems associated with the area particularly in relation to alcohol related anti-social behaviour and crime, alcohol misuse and public nuisance are well documented.

(Appendix 1 – Cambridgeshire Constabulary Cumulative Impact Zone Report 2020). The report stated that between April 2017-May 2020 there were a total of 198 reported alcohol related crimes/incidents on Regent Street. Which contributed to it being the road with the 7<sup>th</sup> highest total in Cambridge, accounting for ~7% of all alcohol related crime and incidents in Market Ward.

### Application Concerns

The concerns that I have regarding this application are as follows:

- The applicant has not made any reference to the fact the premises is situated within a Cumulative Impact Zone, and has therefore, not made any references how they would mitigate their business negatively impacting this area further.

- There is insufficient detail provided in Section 5 (Provide a general description of the premises). The information provided does not give a description of the intended business operation, only what used to be there, along with a brief description of the general layout.
- Numerous conditions have been listed in Section 18 (Licensing Objectives), but many are inadequately worded, and are not sufficient to address concerns regarding the CIZ.
- Concerns over the lateness of the licencing hours applied for (Sunday-Thursday 01:00hrs and Friday-Saturday 03:00hrs) in an area identified as being sensitive to alcohol related issues.
- Significant concerns associated with the location of the premises, and its proximity to the neighbouring hotel, which may result in a noise nuisance being caused to its residents.
- The premises entrance/exit door leads straight out onto the cycleway/footpath, and waiting area for the traffic light-controlled crossing. Additional congestion in this area would inevitably cause increased conflict between different user, that may pose a public safety issue.
- No reference was made in the application as to how customers will be managed whilst:
  - queuing,
  - Smoking,
  - or upon dispersal,

Firstly, to ensure that neighbouring residents will not be subjected to noise disturbance, and secondly so that customers will not impede the use of the pavement, cycleway/footpath, or highway for other users.

- Following additional information being provided to Environmental Health by the applicant, stating that they *"will cordon off an area for smokers using barrier ropes to the rear of the building on Regents Terrace, with a maximum of 6 smokers permitted in the area"*.

In my opinion this is not a workable solution as the door proposed to be used is a fire exit that leads straight out onto Regent's Terrace. Which is a narrow road, having no pavement. Therefore, any proposed smoking area would be located on the highway, being not only a danger to smokers but also a hinderance to passing traffic.

- The applicant also replied to Environmental Health's concerns about public nuisance caused by patrons standing outside the premises and spilling out onto the street, by stating, *"we will have two SIA door supervisors manning the front doors at weekends and one during the week. We will not permit people to stand outside on the street and we will move people on. From 11pm we will have a policy of allowing people to leave in small groups and asking them to disperse. We will have a no readmittance policy after 11pm"*.

No matter how well-meaning the applicant is by stating the above, I believe a build-up of customers needing to queue to enter the venue is inevitable. Delayed entry is unavoidable on high demand evenings when customers are waiting for tables to become available. Also, when security staff need to conduct searches of people prior to entry, and when conducting age verification checks to ensure 'children' are not permitted entry again in line with the applicant's proposed policy to 'limit or exclude people by virtual of age when certain activities are taking place'.

Part of my role as a Police Licensing Officer is to provide pre-application advice to applicants seeking a premises licence, especially for those premises within a CIZ. However, in this case that was not possible, due to the applicant not requesting it.

Failing pre-application advice being sought, if I believed the granting on a premises licence within a CIZ was 'workable' with the addition of appropriate, robust conditions and adjusted timings I would willingly engage with the applicant during the consultation period.

### Summary

I am of the opinion even with the addition of robust conditions, the location of this premises, does not lend itself to being used to accommodate a licensed premises of this nature. I believe it would result in an additional negative impact on neighbouring hotel residents and other residential properties in the late evening and early hours of the morning. I have safety concerns for users of the pavement/cycleway which is located directly outside the main doors. As any congregation of customers, be it those queuing, smoking and groups of people outside the premises particularly at

dispersal time (which would be 03:00hrs at the weekends) will create a 'bottle neck' resulting in conflict with other users. This would potentially impact on public safety licensing objective.

I do not believe due consideration has been given to the limitations of this building, with the applicant wishing 'to make the building work' for his intended business venue. He has made no allowances or given any consideration to the fact the premises is located within a CIZ, and the impact his business proposal will have on the immediate surrounding area.

Cumulative Impact Assessment

Section 4.6 of the special policy relating to Cambridge City Licensing Authority's Cumulative Impact Assessment states *'it creates a presumption that applications for the grant of a premises licence or club premises certificate or variations to existing licenses or certificates, within the cumulative impact area, will be refused if relevant representations are received'*.

Section 4.9 states that *'applicants for a premises licence.... within the cumulative impact area should address issues of cumulative impact within their applications. Applicants will have to demonstrate that their application and proposed operation is not inconsistent with the Licensing Authority's Statement of Licensing Policy, the Cumulative Impact Assessment and the Licensing Authority's ability to be able to promote the licensing objectives'*.

I do not believe that the application submitted addresses the presumption sufficiently for the premises licence to be granted, therefore I respectfully request the sub-committee to refuse this application.

The Delegation of responsibilities by the Chief Officer of Police is shown in Appendix 2.

Signed .....  Date: 26/05/2022

# APPENDICES

1. Cambridgeshire Constabulary Cumulative Impact Zone Report 2020
2. Delegation of Responsibilities.

## Appendix 1 - CAMBRIDGE CITY CUMULATIVE IMPACT POLICY REVIEW 2020

Three years data has been analysed, though it should be noted that we are dependent upon crimes and incidents having an 'alcohol' marker which is not reliably the case. Additionally, in May 2018 Cambridgeshire Constabulary converted to a new Crime recording system, which again required an 'alcohol' qualifier to be recorded against a crime for it to be included in these statistics. These figures relate to all alcohol related crimes and incidents recorded within the Cambridge Ward areas that have been identified using the recording systems – 'Crime File', 'Command & Control 3' and 'Athena'.

From the information that is recorded below, it can be seen that in Cambridge there is a general correlation between the ward areas with the highest number of licenced premises and the number of alcohol related crime and incidents.

WARD	Licenced Premises	Alcohol Related Crime and Incidents			
		Apr2017-Mar2018	Apr2018-Mar2019	Apr2019-Mar2020	TOTAL
Market	245	1151	714	813	2678
Petersfield	62	254	188	228	670
Trumpington	51	195	182	228	605
Abbey	33	198	133	199	530
Coleridge	32	159	160	198	517
Castle	32				
Newnham	32	150	157	185	492
Romsey	26	158	100	160	418
King's Hedges	24	163	121	111	395
Arbury	24	144	108	141	393
Cherry Hinton	22	104	92	108	304
East Chesterton	16	126	68	85	279
West Chesterton	14	79	59	77	215
Queen Edith's	11	74	53	58	185
		45	33	37	115
<b>TOTAL</b>	<b>624</b>	<b>3000</b>	<b>2168</b>	<b>2628</b>	<b>7796</b>

There has been an overall ~12% decrease in the number of alcohol related crimes and incidents recorded in Cambridge between April 2017-March 2018, and April 2019-March 2020.

The table below shows the highest 15 streets in Cambridge for reports of alcohol related crimes and incidents between April 2017 – May 2020. Ten of these streets being located within the existing City Centre Cumulative Impact Zone (CIZ). Hills Road and Mill Road also located in existing CIZs.

ROAD NAME	Crimes & Incidents April 2017 - May 2020	WARD
St Andrews Street	382	Market
Mill Road	232	Petersfield/Romsey
Hills Road	215*	Petersfield/Trumpington/Coleridge
Chesterton Road	211	West Chesterton/Arbury
Sidney Street	201	Market
Downing Street	200	Market
Regent Street	198	Market
Newmarket Road	165	Abbey
Milton Road	158	West Chesterton/Kings Hedges
East Road	143	Market
Parkside	136	Market
Lion Yard	117	Market
Guildhall Place	116	Market
Rose Crescent	116	Market
Market Hill	107	Market

\* excluding alcohol related crimes and incidents recorded at Addenbrookes hospital, Hills Road.

## MARKET WARD

The main hot spot areas for alcohol related crime and incidents in Market Ward, are focused on St. Andrews Street, Sidney Street, Downing Street and Regent Street. With St. Andrews Street accounting for 14% of all the alcohol related crime and incidents in Market Ward. Sidney Street, Downing Street and Regent Street all account for approximately ~7% respectively. This shows a continued requirement for the presence of the current city centre CIZ.

## COLERIDGE

Coleridge Ward has seen a small reduction of ~7% in the overall alcohol related crime and incidents from the period March 2014- February 2017 to March 2017- February 2020. However, over the same period the percentage of these crimes and incidents occurring on the Cambridge Leisure Park has seen a significant reduced from 30% to only ~9%, indicating that the presence of the current CIZ has been effective.

## PETERSFIELD/ROMSEY

Despite the combined figures for these two wards showing a ~5% reduction in the overall alcohol related crime and incidents from the period March 2014- February 2017 to March 2017- February 2020. There are still two 'hotspot' areas, namely; Mill Road and Hills Road.

Mill Road:

- A total of 232 (~22%) of all recorded alcohol related incidents and crimes in Petersfield and Romsey Wards occurs on Mill Road.
- There is a total of 44 Licensed Premises on Mill Road, made up of premises with on-licences, off-licences and both.
- Between 1<sup>st</sup> March 2019 – 29<sup>th</sup> February 2020 the police recorded 26 'street based' alcohol related incidents (not crimes) along the Petersfield section of Mill Road. The vast majority of these incidents refer to: street drinkers being abusive to

members of the public, concerns for the safety of people 'passed out' on the path, or persons walking in the road, presenting a danger to themselves and other road users. Additionally, a number of calls to assist ambulance staff who are trying to assess/treat uncooperative, vulnerable persons who are under the influence of alcohol/drugs.

## **PETERSFIELD AND TRUMPINGTON**

Hills Road:

- Over the 3-year period a total of 215 (~12%) of all alcohol related crimes and incidents within the Wards of Petersfield, Coleridge and Trumpington were recorded along Hills Road, not including those recorded as occurring at Addenbrookes hospital, Hills Road.
- The vast majority of these records indicate that the offending party was intoxicated, resulting in violent behaviour, with some leading to an assault, or displaying aggressive behaviour in a public place.

It is evident from the general downward trend in alcohol related crime and incidents that current CIZs are effective and are having a positive impact. However, the previously identified hotspots for these types of crimes and incidents continue to be problematic areas in Cambridge City, and therefore it is recommended that the current Cumulative Impact Zones remain in place.

## **WEST CHESTERTON**

It should be noted that over the last 3 years the statistics show that Chesterton Road is a hotspot area for alcohol related crimes and incidents.

There is a small section of Chesterton Road within Arbury Ward, but its majority is in West Chesterton Ward. Chesterton Road features 4<sup>th</sup> in the table for the highest alcohol related crimes and incidents which is concerning as it isn't located within any of the existing CIZ. The city centre CIZ borders the southern bank of the River Cam, and Chesterton Road is located just north of the river.

As a comparison with Mill Road, between 1<sup>st</sup> March 2019 – 29<sup>th</sup> February 2020 the police recorded 21 'street based' alcohol related incidents (not crimes) along Chesterton Road.

The vast majority of this incidents refer to incidents involving street drinkers being abusive to members of the public and shop staff, begging, fighting amongst themselves. Additionally, as with Mill Road we have recorded a number of calls to assist ambulance staff who are trying to assess and treat unwilling, vulnerable people who are under the influence of alcohol or drugs.

The majority of these reports are centred around the 'Mitcham's Corner' area, and roads leading off it. The areas include; the parade of shops and businesses on Milton Road (as far as Springfield Terrace), the section of Chesterton Road from Croft Holme Lane, along to Ferry Path, and the section of Victoria Avenue, north of the River Cam.

There appears to be disproportionately high level of alcohol related crimes and incidents in this area of the West Chesterton ward, considering it only has 14 licensed premises.

However, a high percentage of these premises are located within this 'hot spot' area. ~23% of all recorded alcohol related crimes and incidents occur along Chesterton Road. Therefore, consideration should be given to extending the city centre CIZ to include this area, or to create a new CIZ for this relatively small geographical area.

Appendix 2 - Delegation of Responsibilities.



Creating a safer  
**Cambridgeshire**

Licensing Act 2003

**Delegation of responsibilities by the Chief Officer of Police**

In accordance with the provisions of the Licensing Act 2003 I hereby delegate authority to Cambridgeshire Constabulary Licensing Officers to develop policies and procedures and to exercise all powers vested in the Chief Constable of Cambridgeshire Constabulary. Such delegation to include the power to delegate specific tasks to licensing Constables and support staff.

This delegation shall remain in force unless otherwise notified.

Signed



Nick Dean  
Chief Constable  
Cambridgeshire Constabulary  
1 October 2018

**LICENSING ACT 2003  
ENVIRONMENTAL HEALTH REPRESENTATION FORM**

To: **Commercial & Licensing Manager**

From: **Environmental Health Manager**

Premises: **Cuba Libre, 19 - 31 Regent Street, Cambridge, Cambridgeshire, CB2 3AS**

Reference: **Application 1212592. Service request 364661**

**Comment:**

Representation made on behalf of Environment Health as per below.

Signed: [REDACTED]

Date: 25 May 2022

Daniel Image-Flower  
Commercial & Licencing Technical Officer

**Licensing Objective(s) in respect of which this representation is made:**

**Prevention of Public Nuisance:**

The application is for a restaurant until 22:30 and a bar selling alcohol until 01:00 Sunday to Thursday and until 03:00 on Friday and Saturday. Live music would be played until 24:00 from Thursday to Saturday. Recorded music would be played until 01:00 Sunday to Thursday and 03:00 on Friday and Saturday. The application on Friday and Saturday is a considerable extension into the night.

19 - 31 Regent Street is within the Cumulative Impact Area (CIZ).

The location has residential properties directly above the premises and along Regents Terrace, approximately 40 meters away. Opposite the premises is Downing College, housing student accommodation, the closest of which is approximately 60 meters away. Additional residential properties are located along Park Terrace, approximately 160 meters away. The main entrance to the venue is on the corner of Regents Street and Regents Terrace with a secondary exit on Regents Terrace. Immediately adjacent to the entrance is a busy pedestrian and cycle crossing, which patrons may obstruct whilst awaiting entry, causing a nuisance and danger to passing pedestrians and cyclists.

I am concerned that the activities associated with late night refreshment until 03:00 will cause noise nuisance to neighbouring residents. To mitigate this, after 23:00 the applicant has stated they will have a policy of no readmittance but will allow people to leave in small groups and ask them to disperse. I have yet to see the policy or how this would be managed. Because this is a new premises application, there is a lack of Temporary Event Notice's (TEN's) to test if activities applied for can take place with no public nuisance caused.

The applicant has proposed a smoking area to the rear of the property, limiting the number of smokers to six patrons. Whilst this may reduce the levels of external noise, patrons who are intoxicated are likely to speak loudly. However, the proposal is located on Regents Terrace which is a one-way public highway

accessible by cars. Cars wishing to turn around may do so in areas of limited visibility and in close proximity which could be dangerous to patrons.

The application proposes to limit the internal noise to 80dB. I believe this may be difficult to achieve (as live music can often exceed this level). I also have concerns that sound may travel through the adjacent residential properties causing a nuisance. The applicant has suggested levels can be controlled by a two-stage alerting mechanism, however I have yet to receive any documentation providing evidence this could be achieved. I also have concerns about the frequencies of the music, as lower frequency bass will penetrate through walls more easily than higher frequencies.

Currently, the information provided as part of the application does not cover the rebuttable presumption that an application within the CIZ will be refused.

Environmental Health wishes to raise a representation against this application under the licensing objective of preventing public nuisance and would ask the application is refused.

If members are minded to grant the application, I would ask that the following conditions are added to the premises licence.

1. A sound management plan indicating how sound and frequency would be managed with limitations to 80dB with additional options to limit levels of bass sound and frequency shall be in place and available for inspection by responsible authorities upon request
2. Weekly records of sound testing shall be kept confirming levels are adhering to set requirements which shall be available for inspection by responsible authorities upon request.
3. A queue management plan setting out how potential issues caused by congestion from patrons obstructing the highway whilst awaiting entry would mitigate nuisance and danger to passing pedestrians and cyclists.

Signed .....  ..... Date 25 May 2022

Principal Environmental Health Officer

From: Cllr Katie Porrer (Cambridge City - Market) <[REDACTED]>  
Sent: 23 May 2022 16:31  
To: licensing (CCity) <[licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)>  
Cc: [REDACTED]  
Subject: Cuba Libre (former Pizza Hut), off Regent's Terrace/Street - objection to licence application

Dear Colleagues in Licensing,

### **Cuba Libre licence application**

As ward councillors, both Cllr Bick and I would like to object to the licence request from Cuba Libre for alcohol and music in their proposed venue.

We feel that this fails to meet the licensing objectives, including control of public nuisance, public safety and prevention of crime and disorder, for a variety of reasons as follows:

Whilst we appreciate that the applicants will have security on site covering the doors, the exits discharge onto and alongside Parker's Piece and in particular Regent's Terrace which has many flats and residents. It is likely that many customers will make their way to the south of the city and Hills Road via this route or spill out onto the Piece itself, also in proximity to the University Arms hotel and its residents too. With such late opening hours, this will increase noise and disruption to residents and hotel occupants, well outside normal hours for business.

Secondly, although we are grateful for the information provided about noise levels within the building, we are very concerned that this will, in effect, become a music venue and bar from 10.30 pm each evening, when food ceases to be sold. This is confirmed by the applicant and there would be live music until 11 pm or midnight and recorded music until 1 am or 3 am throughout the week and weekends. Whilst the applicant claims that the decibels can be controlled, this is not a building constructed as a music venue, and there is a big difference between a continuous noise level such as a fan unit, and the changing repetitive beats of music. We are not satisfied that this could be suitably controlled, particularly after 11 pm when other noises would have reduced and when people expect to be able to sleep. The noise attenuation company confirm that there are residential properties immediately adjacent to the 1st and 2nd floors of this building, and we feel that this is not acceptable.

Finally, it is proposed that there is a smoking area outside on Regent's Terrace, which appears to be at the taller end of the building and therefore nearer to residential properties. This would damage residential amenity, particularly after 11 pm, when customers come out to smoke and chat, and is likely to lead to customers spilling further along the road or walking around chatting very late at night, particularly if they can take their drinks with them. The music noise would also spill out every time the door is opened or closed to allow people to move outside and back inside. This is also a public highway, albeit a dead end, but one which has a variety of e-bikes, mopeds, cars and taxis using it and needing to turn in this area which is not wide, so we also have concerns about the safety of customers on the road.

If you need any further information, please let us know.

Thank you very much,

Katie and Tim

Cllr Katie Porrer and Cllr Tim Bick  
Market Ward  
Cambridge City Council