



Cambridge City Council
Licensing Sub Committee

Date: Monday, 5 February 2024

Time: 10.00 am

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

Contact: democratic.services@cambridge.gov.uk, tel:01223 457000

Agenda

- 1 Appointment of a Chair
- 2 Declarations of Interest
- 3 Meeting Procedure
- 4 Sunset Lounge Application, Cherry Hinton (Pages 7 - 54)

Information for the public

The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public.

For full information about committee meetings, committee reports, councillors and the democratic process:

- Website: <http://democracy.cambridge.gov.uk>
- Email: democratic.services@cambridge.gov.uk
- Phone: 01223 457000

This Meeting will be live streamed to the Council's YouTube page. You can watch proceedings on the livestream or attend the meeting in person.

Those wishing to address the meeting will be able to do so virtually via Microsoft Teams, or by attending to speak in person and have completed an LRA1 form to express your intention to speak.

You must contact Democratic Services democratic.services@cambridge.gov.uk by 12 noon two working days before the meeting

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.

This page is intentionally left blank



CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED

Sunset Lounge, 106 Cherry Hinton Road, Cambridge

To: Licensing Sub-Committee:

Report by: Alex Beebe

Environmental Health Officer (Commercial & Licensing)

Tel: 01223 4577723

E-mail: alex.beebe@cambridge.gov.uk

Wards affected: Coleridge

INTRODUCTION

- 1.1 An application under section 17 of the Licensing Act 2003 to apply for a Premises Licence for the sale by retail of alcohol with respect to Sunset Lounge, 106 Cherry Hinton Road, Cambridge CB1 7AJ, has been received from Valmir Dautaj. The application was served on Cambridge City Council (the Licensing Authority) on 13th November 2023. A copy of the application was also served on each responsible authority. The application is attached to the report at Appendix 1.
- 1.2 The applicant is seeking to provide the sale of alcohol only (for consumption both on and off the premises) from Monday to Saturday between the hours of 11:00 and 22:00.

- 1.3 The representation date was reset on 11th December 2023 due to the licensing authority becoming aware that the original plans submitted with the application were incorrect. New plans (attached as Appendix 2) were submitted on 9th December 2023, which included the rear extension (shown on the right of the plan).
- 1.4 In accordance with the regulations of the Act, the application was advertised on the premises and in Cambridge Independent on 20th December 2023 to invite representations from responsible authorities and other persons. The last date for submitting representations was 8th January 2024.
- 1.5 Representations were received from 4 'Other Persons'. The representations are attached to the report as Appendix 3.
- 1.6 The application needs to be determined.

2. RECOMMENDATION

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

3. BACKGROUND

- 3.1 The premises was previously Palkee Bengali Take-Away. The business was closed on our records in July 2023.
- 3.2 The planning authority has provided comments on the application, which are attached as Appendix 4. The submission was not considered a representation as it did not relate to one or more of the licensing objectives. The comments have been included in the report in order to give background regarding the current planning issues, principally concerning the rear structure.
- 3.3 The premises does not fall within one of the cumulative impact areas.
- 3.4 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy 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
- 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 also advertised 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, the information raised in the representations and also Cambridge City Council's Statement of Licensing Policy, 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 Licensing Act 2003 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 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](#)
- [Cambridge City Council's Statement of Licensing Policy](#)

Appendix 1 – Application Form

Appendix 2 – Plans

Appendix 3 – Representations

Appendix 4 – Comments from Planning

To inspect these documents either view the above hyperlinks or contact the Commercial & Licensing Team at commercial@cambridge.gov.uk.

The author and contact officer for queries on the report is alex.beebe@cambridge.gov.uk

Date originated: 19th January 2024

Last updated: 19th January 2024



Cambridge
Application for a premises licence
Licensing Act 2003

For help contact
taxi@cambridge.gov.uk
 Telephone: 01223 457000

* 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 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.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

You must enter a valid e-mail address

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name	St Francis of Assisi House, Apartment 4
* Street	Ermine Street, North Papworth Everard
District	
* City or town	Cambridge
County or administrative area	
* Postcode	CB23 3RH
* Country	United Kingdom

Agent Details

* First name	Beiza
* Family name	Tzivelek

You must enter a valid e-mail address

* E-mail	
Main telephone number	
Other telephone number	

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number	07439274
Business name	ESI LICENCING AND LEGAL CONSULTANCY LTD
VAT number	-
Legal status	Private Limited Company
Your position in the business	Director
Home country	United Kingdom

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	<input type="text" value="84"/>
Street	<input type="text" value="Hayes Lane"/>
District	<input type="text"/>
City or town	<input type="text" value="Bromley"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="BR2 9EE"/>
Country	<input type="text" value="United Kingdom"/>

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	<input type="text" value="Sunset Lounge"/>
Street	<input type="text" value="106 Cherry Hinton Rd"/>
District	<input type="text"/>
City or town	<input type="text" value="Cambridge"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="CB1 7AJ"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="16,000"/>

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 His Majesty's prerogative

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

You must enter a valid email address

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

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

Continued from previous page...

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.

Restaurant and Bar

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

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

- Yes No

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
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.

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.

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

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text" value="South Cambridgeshire District Council"/>

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.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

Page 21
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="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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.

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)

Continued from previous page...

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

An pre-application advice was requested from the Police Officer, however we have not been able to receive a response. The plans have changed since then, as the rear outbuilding was not permitted.

b) The prevention of crime and disorder

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises license is in operation.

The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

CCTV footage will be stored for a minimum of 31 days.

The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to the Police) for the police without difficulty or delay and without charge to Cambridge Police.

Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Cambridge Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

c) Public safety

An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- a) all crimes reported to the venue;
- b) all ejections of patrons;
- c) any complaints received concerning crime and disorder;
- d) any incidents of disorder;
- e) all seizures of drugs or offensive weapons;
- f) any faults in the CCTV system, searching equipment or scanning equipment;
- g) any refusal of the sale of alcohol including date, time and name of staff member; h) any visit by a relevant authority or emergency service.

The Premises Licence Holder shall ensure that all staff members (including family members, friends and all temporary staff) engaged or to be engaged, in selling alcohol at the premises shall receive induction training. This training will take place prior to the selling of such products:

- the lawful selling of age restricted products
- refusing the sale of alcohol to a person who is drunk

d) The prevention of public nuisance

Sales of alcohol for consumption off the premises shall only be supplied with ancillary to a meal

The sale, supply, and consumption of alcohol on the premises, shall be restricted to patrons seated at tables, and ancillary to them partaking of a table meal, except for the area marked as "bar" on the plan, where customers can have an alcoholic drink only

Staff shall monitor patrons and take necessary action to ensure that no nuisance or disturbance is caused to the venue's neighbours. Suitable notices shall be displayed at entrances/exits requesting people leave the premises in a quiet and

Continued from previous page...

orderly manner so as not to disturb residents

e) The protection of children from harm

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the "PASS" mark hologram, official photographic identity cards issued by EU states bearing a hologram or ultraviolet feature. Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises, including the point of sale and the area where the alcohol is displayed.

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 relation 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 or 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

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 (£)

190.00

Continued from previous page...

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

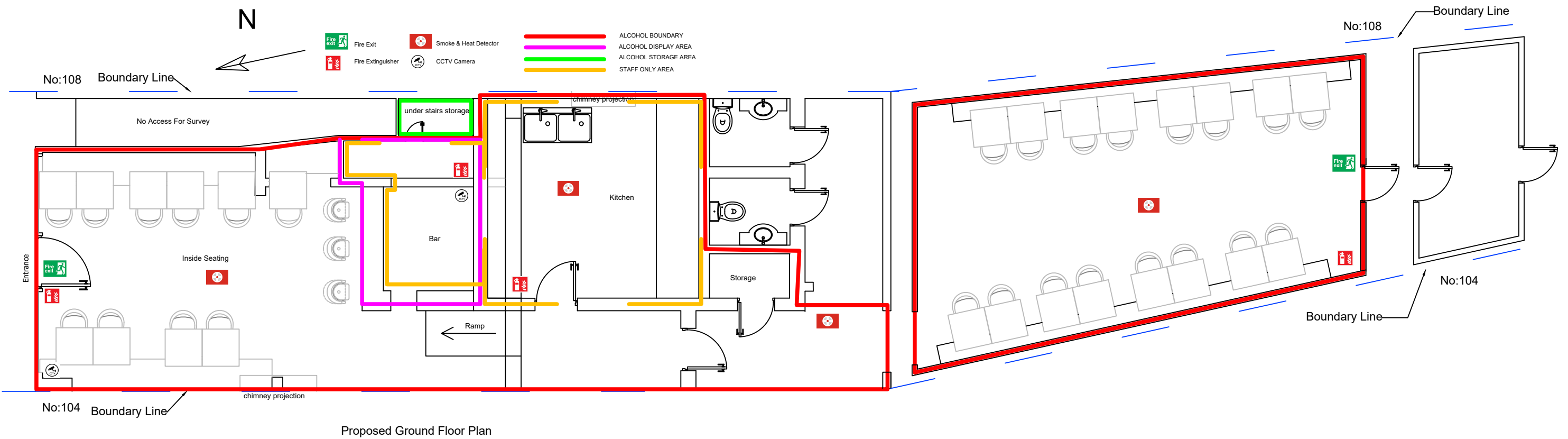
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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 >](#)

This page is intentionally left blank



Proposed Ground Floor Plan



NOT FOR CONSTRUCTION

84 HAYES LANE, BROMLEY BR29EE T:0208460 06 06 M: 07786 308 409 E-Mail : licence@euro safetyinternational.co.uk www.euro safetyinternational.co.uk	CLIENT Mr.Valmir Dautaj	PROJECT Sunset Lounge Premises Licence	PROJECT NO.	DATE 09/10/2023	DRAWN BY ESI	DESCRIPTION Proposed Plan	CLIENT ADDRESS 106 Cherry Hinton Rd, Cambridge CB1 7AJ	SCALE 1:75 A3 SIZE
--	-----------------------------------	--	-------------	---------------------------	------------------------	-------------------------------------	--	--------------------------------------

This page is intentionally left blank

From: Upper Rock Road Residents Association
[REDACTED]

Sent: 10 December 2023 14:00

To: licensing (CCity)

Subject: representation against alcohol licence at Sunset Lounge, 106
Cherry Hinton Road

Categories: [REDACTED]

To whom it may concern,

This representation is to object to the granting of an alcohol licence, application number 274753 – Sunset Lounge 106 Cherry Hinton Road. It is submitted on behalf of the Upper Rock Road Residents Association, which includes 27 people in 9 households, all of whom have contributed to this representation and all of whom are directly impacted by this venue.

We object to the granting of this alcohol licence because the licensing objective of preventing public nuisance has not been met with this application. There are a number of aspects to this.

1. The application for an alcohol licence is in a premises that intends to run as a late-night drink and shisha bar, which has already featured live entertainment dancing and no doubt will do so again. None of this is suitable for its location in a predominantly residential area and in such proximity to family homes.

Cambridge City Council outlines some protections for residents in its licensing policy, which states, for example:

'Stricter conditions on noise control are likely to be imposed in the case of premises that are situated in predominantly residential areas.'

The policy also lists the following measures that an applicant should consider to control noise nuisance from the premises, including sound limitation devices, acoustic lobbies, acoustic double glazing, noise insulation, and specifying non-amplified or acoustic music only.

None of these measures have been taken in the application, which does not address the licensing objective of preventing public nuisance beyond a notice to ask customers to leave quietly.

The main part of the premises is an extension which has been built into a residential area reaching far back from the original brick terrace, directly abutting homes and across the road from multiple residential properties. This extension has been built without planning permission and has features that will amplify noise nuisance rather than contain it. For example, it has a retractable roof that fully opens, is open on one long side, and has thin wood walls. The construction in this way means no regard has been taken for the prevention of nuisance, and will have a detrimental impact on families, including young children who sleep at 7 pm and older children studying for exams.

It was for these reasons that a previous HM Planning Inspectorate report into a proposed late-night takeaway use for this property refused the application, concluding:

"Residents of the area should be free from unnecessary disturbance at times when they should enjoy a greater degree of peace and quiet."

This conclusion was reached in application to the old building footprint and structure and a takeaway not a late-night entertainment and Shisha bar in the new wooden, basically open structure. It sets a clear legal precedent.

2. The "alcohol boundary" detailed on the plans bears no relation to the actual building boundary – the plans submitted are misleading. The application is not clear about the nature of the premises and how it is already being used under the Temporary Event Notice it is already operating under.

The red line to the left as one comes out of the toilet area does not relate to a wall - that is in reality an open entrance connecting directly to the large extension, which as mentioned above is not a suitable building to contain noise nuisance in a residential area. The application makes reference to a "rear outbuilding which was not permitted" which again is misleading. The extension was indeed not permitted, but it nonetheless forms the centrepiece of the venue. Promotional material for the venue invites customers to "unwind with your friends in our shisha garden...sit and chill and sip your favourite cocktail". The "garden" is fully decorated with flowers, full of table seating, and has hosted performers already. It is clearly the main area of the premises and under the Temporary Event Notice is already being routinely used, as is apparent from numerous photos on the venue's social media and from customer photos on Google reviews.

It is, therefore, hard to see how this extension will somehow be blocked off in practice and not used, despite the claims in the plan of an "alcohol boundary". Nothing in the application addresses this anomaly.

The council policy declares it will separate planning, building control and licensing regimes "to avoid duplication and inefficiency". We believe that on this occasion, it is inefficient and perverse to continue treating the three issues as separate: the premises are not suitable to contain noise and therefore facilitates public nuisance if given a licence to serve alcohol and provide music entertainment for customers, which will have a detrimental impact on close residential properties.

It is also apparent that the licence and planning applications seem to be deliberately formulated piecemeal to circumvent planning. There is a risk that once a licence has been obtained, a precedent is created for further development, increased use, and disturbance.

Licensing this venue will, by its very nature, lead to public nuisance in the street. By granting this licence you are transferring all the risk to residents to report on noise disturbance and away from a licensee with a premises completely unsuitable for alcohol and entertainment for the reasons outlined above. Those residents have, thus far, been denied any say through regular planning processes. Once again, this illustrates why the planning and licensing matters are inextricably linked and there should be complete alignment between them at all stages.

It is not possible in practice to ignore or overlook the fact of the extension - which, although a planning matter according to the council separation of functions, has a direct material consequence for the ability of the venue to prevent noise nuisance. When the roof is retracted from March/April onwards, residents face the prospect of an open-air, late-night drinking venue with music and live performances directly into an otherwise peaceful and quiet residential neighbourhood.

3. The opening times on the application do not relate to the current advertised opening hours on Google, which the owner has uploaded - these state that the closing time will be 11 pm every night of the week, yet the application requests until 10 pm. As this is a predominantly residential area, the only premises with such a potential impact on residential properties allowed to open late is Cambridge Wine Merchants (163 Cherry Hinton Road), which closes at 10 pm sharp. There is no

assurance that the premises will indeed close at 10 pm according to their own advertised schedule- quite the opposite, in fact.

Given the nature of the venue and the late-night drinking that it enables in an otherwise quiet area, we are highly concerned that this will create a late-night nuisance on the streets when customers leave much later than the licence suggests. It is also not clear how, in practice, that last hour of operating potentially "licensable activity" would be enforced.

Finally, we are concerned that failure to consider the wider circumstances of this application places risk on residents to deal with the noise and nuisance consequences of this venue operating in this way in a residential area. For example, parking for the venue will inevitably spill onto Rock Road, creating late-night noise.

This is already apparent outside the nearby Rathmore Club, which fortunately does not impact residential properties in the same way.

In summary, granting this licence will create inevitable noise and public nuisance.

It would seem perverse to grant the application knowing its misleading nature of it and then require residents to prove the disturbance, which is predictable and which no active steps have been taken to manage, avoid or prevent.

In the circumstances above, granting a licence would be highly detrimental and in clear contradiction to City Council Licensing policy. Therefore, as the community is directly impacted, we would like to lodge this collective objection.

The Upper Rock Road Residents Association

Additional comments 07.01.24 regarding "Sunset Lounge" premises license application, 106 Cherry Hinton Road, CB1 7AJ. Relating to the amended application

We enclose for further detail our original objections to the first proposal that was withdrawn due to an incomplete application on behalf of the applicant. We would ask you to consider both these documents as part of an objection to granting a license for alcohol or live entertainment on these premises.

Our objections remain that the premises are already causing and are likely to cause a significant public nuisance to the residents surrounding the premises.

We can see that the points we raised regarding the nature and extent of the premises have been superseded by a revised alcohol boundary, which now relates to the reality of the premises. However, all the substantive objections remain highly relevant because the premises extension is not a suitable building to contain nuisance noise in a residential area.

Furthermore, we would note that the issues raised in our original objection concerning the actual nature and extent of the premises by the Upper Rock Road Residents Association have been proven to be valid, given the applicants subsequently acknowledged the incomplete nature of the original application. At every stage of this process, the applicant has failed to provide open and complete information to both residents and the Council, and this is a pattern of behaviour that goes back right to the moment when they first sought Council planning permission for the development, which they failed to obtain and proceeded to build regardless.

It is now a pattern of behaviour seen in the licensing application process also. This includes the applicant's failure to display the notice in their window when the first consultation period opened, which was removed for at least three days and only put back on when officers requested it to be so, having been notified by residents who spotted that due process was not being followed.

Council licensing policy has clear objectives, including the prevention of public nuisance. Nothing in the license application addresses this concern. Yet, the public nuisance impacts are highly relevant and deeply concerning.

Further to the original objection, we would like to highlight:

1. Disingenuous Application.

The application was always planned for the area demarcated in the revised application. This is evidenced by the premises offering alcohol and entertainment in the modified area whilst only applying for the preliminary area. The premises advertise d entertainment, alcohol, food and Shisha in the whole premises whilst only applying for the initial area.

There remain factual inaccuracies in the application.

They have stated that:

- There will be no live or recorded music.
- They will not be offering live music or dance.
- They will not be offering anything similar to live music or dance.
- They will not be offering 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.

They are already breaching this - they have had two performances of exotic dancing to music. Videos and information have been posted online regarding these events.

- We enclose a separate document extracted from their posts on-line as evidence.

This is already evidenced as an entertainment, smoking and drinking area. Live entertainment (belly dancing) has already occurred here, and on the 16th of December loud noise continued well after midnight, disturbing the sleep of local residents.

On New Year's Eve, the venue advertised, *"NYE is here, and we are ready for an epic night with tons of performers and events. Don't miss out!"*

It would be a mistake for the Council to view this license application as relating mainly to that of a quiet restaurant with food.

Of course, if they were to be granted an alcohol license, then the Live Music Act 2012 would apply automatically, allowing them to provide entertainment.

In their submission for arrangements, they have made to avoid public nuisance, they state,

"Sales of alcohol for consumption off the premises shall only be supplied with ancillary to a meal.

The sale, supply, and consumption of alcohol on the premises shall be restricted to patrons seated at tables, and ancillary to them partaking of

a table meal, except for the area marked as "bar" on the plan, where customers can have an alcoholic drink only."

They are already breaching this . Videos and images posted online by them show clients seated at tables (not in the bar area) consuming alcohol and smoking Shisha - without food.

- We enclose a separate document extracted from their posts on-line as evidence.

2. Likely Public Nuisance. By its very nature, the application is likely to cause public nuisance. It is a large building only partially covered, intended for, and already used for live entertainment, extending extensively down a purely residential area. The area applied for is of flimsy construction, has a retractable roof and is not bounded on one side, which will lead to significant light and noise pollution. 106a Cherry Hinton Road, CB17AJ

We wish to add personal experiences of group members living close to the establishment regarding the current situation. Again, demonstrating that disturbance is already occurring before any licence – apart from TENS – has been granted.

*"The current modifications to the premises have already led to considerable noise disturbance from music and from staff/customers onsite, **extending beyond midnight on multiple occasions** , particularly in the extension area of the property, therefore impacting the ability to enjoy a peaceful living environment."*

Dates include 16 th December (the night of the exotic dancing performance) and the 5 th of January. We believe on the latter date that there was no TENS in place?

"Continuing alcohol sales to the premises is likely to exacerbate the existing problems, further compromising my quiet enjoyment of my residence. The association of alcohol with increased noise levels, potential unruly behaviour, and disturbances poses a direct threat to my well-being and that of residents in a mostly residential area."

3. Unregulated Premises. The applicant is applying for a license in unregulated and unapproved premises. There is no:

- Planning permission
- building regulations
- fire regulations assessment
- environmental assessment on the property.

It would seem inappropriate and unsafe to grant any license to such an extension before approving an evaluation of the above mentioned regulations. All these factors are relevant to likely and potential noise disturbance, harm to children, and public nuisance.

4. Disregard for Existing Regulations.

They continue to show a disregard for existing regulations. They have built unregulated premises on which they are applying for the license.

They are already operating beyond their approved business hours as per a decision of the Planning Inspectorate and have not applied for a change of use.

5. Future Concerns.

This disregard for regulatory bodies must be of great concern in the future, demonstrating a disregard for lawful processes and the local community. In conclusion, we remain concerned that there is a licensing application that, by its very nature, will and already is causing a public nuisance.

6. Council's Obligations.

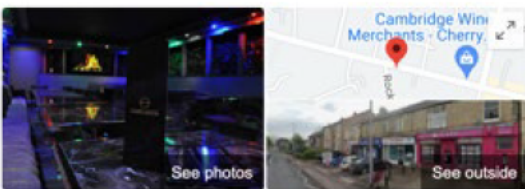
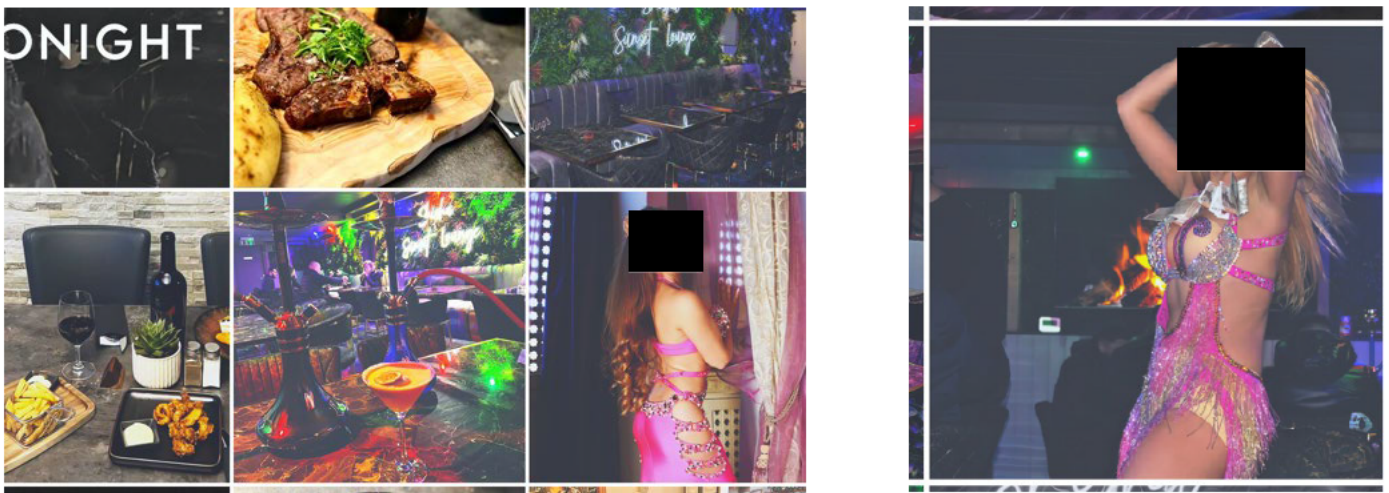
We believe that approving the application in its current form would not be consistent with the Council's stated intent to apply its licensing policy, which protects residents from disturbance and nuisance.

It would seem perverse to transfer the risk to local residents to prove public disturbance after granting a license when it is already occurring

for the reasons above. For example, simply being sent a noise complaint link is not an adequate response to residents, which seems to be the only recourse then available.

Were the license to be given for these premises, of course, this sets precedents for the future and the ability for anyone else, or any other organisation, to operate entertainment, live music, and alcohol on a residential street at these premises.

Screenshots from sunset lounge postings showing activities and opening hours:



Sunset Lounge Cambridge

5.0 ★★★★★ 24 Google reviews ⓘ ⓘ

Restaurant

[Website](#) [Directions](#) [Save](#) [Call](#)

Service options: Has outdoor seating · Has Wi-Fi

Address: 106 Cherry Hinton Rd, Cambridge CB1 7AJ

Hours:

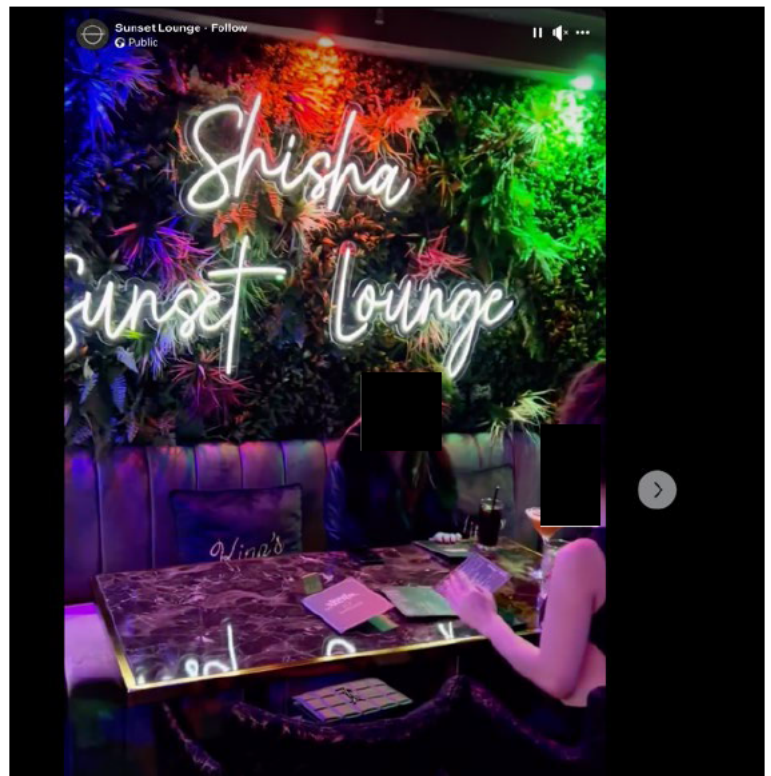
- Saturday 12–11 pm
- Sunday 12–11 pm
- Monday 12–11 pm
- Tuesday 12–11 pm
- Wednesday 12–11 pm
- Thursday 12–11 pm
- Friday 12–11 pm

Updated by this business 5 weeks ago

[Suggest new hours](#)

Phone: 07769 639958

Menu: sunsetlounge.net



Sunset Lounge
6 days ago · 🌐

NYE is here and we are ready for an epic night with tons of performers and events. Don't miss out! 🎆

Sunset Lounge in Cambridge is a vibrant environment that combines the Mediterranean cuisines with a Bar and Lounge.

www.sunsetlounge.net

#cambridge #cambridgeuniversity #cambridgediet #cambridgeuk #cambridgebar #cambridgerestaurant #restaurant #uk #unitedkingdom #england




WWW.SUNSETLOUNGE.NET

Sunset Lounge
6 days ago · 🌐

Belly Dancer is performing tonight at the Sunset Lounge starting 10PM. We recommend walking in earlier to assure you have a table.

Sunset Lounge in Cambridge is a vibrant environment that combines the Mediterranean cuisines with a Bar and Lounge.

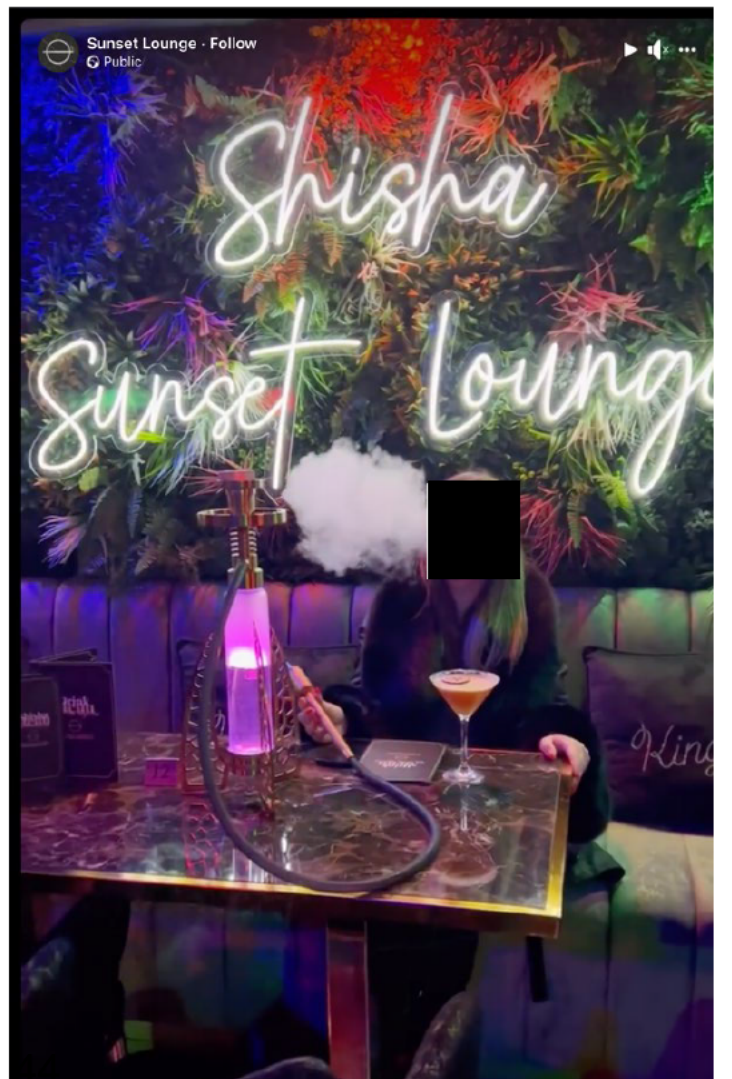
www.sunsetlounge.net... [See more](#)

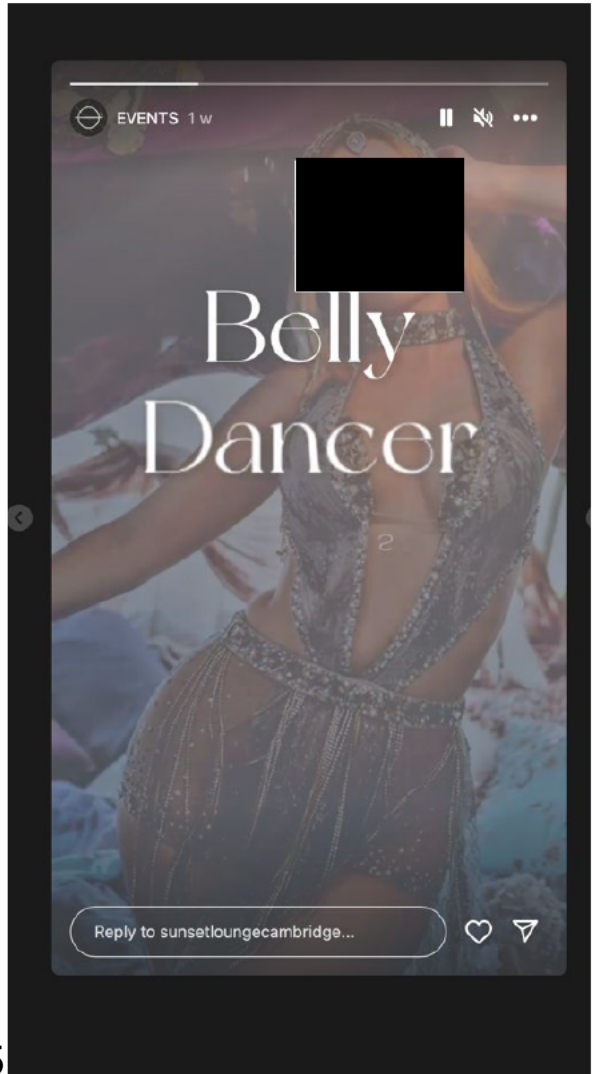
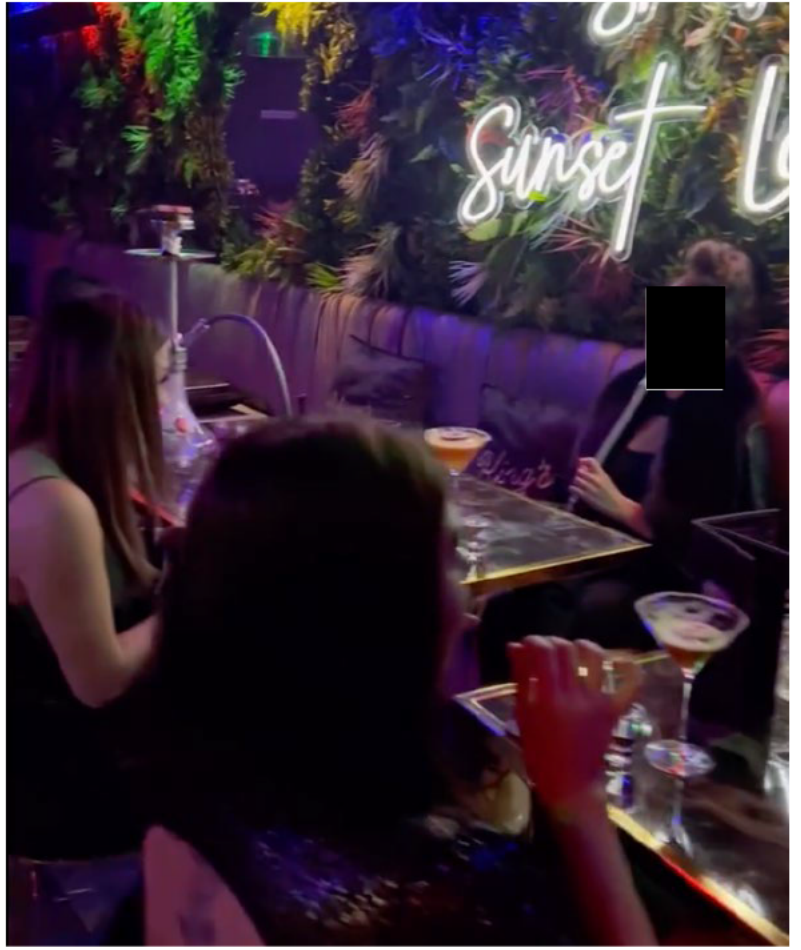
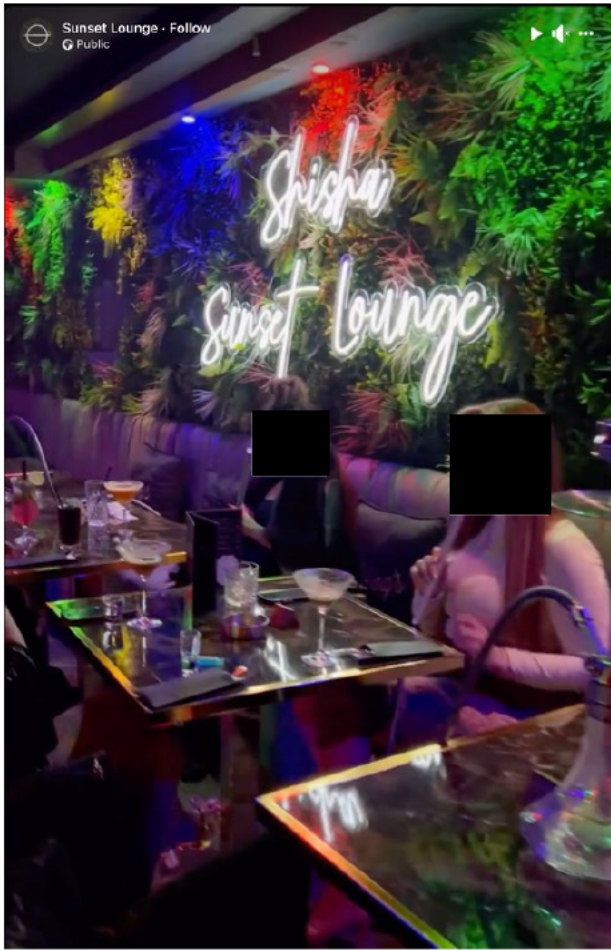


Belly Dancer

TONIGHT FROM 10PM

Click to expand





From: Cllr Immy Blackburn-Horgan (Cambridge City - Queen Edith's)

Sent: 07 January 2024 20:12

To: licensing (CCity) <licensing@cambridge.gov.uk>

Cc: Cllr Karen Young (Cambridge City - Queen Edith's)

[REDACTED]; Cllr Daniel Lee (Cambridge City - Queen Edith's)

[REDACTED]; Cllr Alex Beckett

Subject: Cllr Immy Blackburn-Horgan Objection to Application for license - Number 274753

FAO Licensing

Application for license - Number 274753

Business
Sunset Lounge

Address
106 Cherry Hinton Road

Objection – Cllr Immy Blackburn-Horgan submitted before deadline of 08/01/2023

I am raising an objection to the application for an alcohol license to 106 Cherry Hinton Road because the licensing objective of preventing public nuisance has not been met.

IAS (2023) wants to see licensing support diverse, inclusive and sustainable communities, without undermining local areas and putting undue pressure onto the public sector. Alcohol is used and enjoyed by many, but it can also be the cause of significant social and personal problems; licensing should have a key role to play in addressing and preventing many of these problems.

This included:

1) The application for an alcohol license is in a premises that intends to run as a late-night drink and shisha bar, which has already featured live entertainment dancing. This is inappropriate as it is adjacent to and

in a predominantly residential area with many family homes with young children.

Cambridge City Council outlines protections it applies for residents in its licensing policy:

'Stricter conditions on noise control are likely to be imposed in the case of premises that are situated in predominantly residential areas.'

Residential areas applying for licenses needs to have as a priority

- the prevention of crime and disorder
- public safety
- prevention of public nuisance
- the protection of children from harm

The policy also requires that measures are followed for example:

Applicants should consider to control noise nuisance from the premises

- should include sound limitation devices
- should include acoustic lobbies
- should include acoustic double glazing
- should include noise insulation
- should ensure non-amplified allowing only acoustic music.

The extension currently has a retractable roof that fully opens, is open on one long side, are the walls acoustically dampened as if not these factors appear not to meet the licensing measures required above? Where in the application have these required measures been demonstrated?

The key licensing objective is to preventing public nuisance. What measures are being taken, is it only a notice requesting customers to leave quietly?

What other measures are being taken to aid the prevention of crime and disorder, to ensure public safety, to prevent public nuisance and to put in place measures for the protection of children in this residential area from harm?

How is the applicant resourcing, implementing and reviewing these for their effectiveness?

The main part of the premises to be licensed appears to be an extension. This extension directly abuts residential family housing and is surrounded by residential properties.

A previous HM Planning Inspectorate report into a proposed late-night takeaway use for this property refused the application, concluding:

"Residents of the area should be free from unnecessary disturbance at times when they should enjoy a greater degree of peace and quiet." Has a subsequent planning application been submitted and approved?

2) The "alcohol boundary" detailed on the plans does not clearly delineate the building boundary - the plans submitted may not be in line with the demise of the property and may require further review.

How is this extension to be blocked off and how will this not be used?

How is the "alcohol boundary" going to work in practice?

What resources are being put in place to ensure the above is upheld and review its effectiveness?

3) The opening times on the application do not relate to the current advertised opening hours indicating the business will be open until 11pm M-F.

This business abuts a family residential property and sits within a family residential area, a license for alcohol until 10pm weekdays does not support the Councils Community Safety Partnerships aim to work proactively to stop anti-social behaviour and nuisance noise.

IAS (2023) need to protect wider environment in which alcohol is licensed, so it does not unduly undermine society and lead to health and social hazards.

It is also not clear how, in practice, that last hour of operating potentially "licensable activity" would be enforced.

IAS (2023) late night opening has spread crime and disorder back into the early hours, causing significant problems for the police. Most police forces had to rearrange their shift patterns and allocate increased resources to the night time economy to address this change.

4) Residents are concerned that failure to consider the wider circumstances of this application places risk on residents to deal with the noise and nuisance consequences of this venue operating in this way in a residential area.

Parking is a key creator of ASB in Cambridge and with this venue abutting and within residential roads attenders of the premises are likely to choose to park on the residential roads not the main road where there is limited legal parking, creating late-night noise and risks to residents (there is evidence of these ASBs by the Rathmore Club).

In conclusion due to the range of issues requiring further clarification an objection to this license appears well founded, and sits alongside Cambridge City Councils own Licensing policy and planning regulations due to change of use of this premises with the shisha use creating a mixed use at the property which requires planning permission as does not fit with its current registration as Class E.

Please confirm that I have complied with all necessary requirements to raise an objection within the set timescales.

With best wishes, Immy

Cllr Immy Blackburn-Horgan
Cambridge City Council, Queen Edith's

From: Cllr Karen Young (Cambridge City - Queen Edith's)

Sent: 11 December 2023 10:27

To: licensing (CCity) <licensing@cambridge.gov.uk>

Subject: 106 Cherry Hinton Road

Hello

I wish to register an objection to the application for an alcohol licence for this premises.

The main reason is that there is great risk of noise nuisance to the neighbours of which there are many residential houses in the block created by Rock Road Hartington Road together with Cherry Hinton Road.

The current use of the property allows the use of the outside as a seating area. The extension to the use of alcohol will result in the noise levels increasing.

When the same property went to a planning appeal previously - for a late night takeaway in the original building footprint on that occasion which is a far less intense use - it was refused permission by the Planning Inspector for late night trading due to the impact on local residents. This is a far more intense and noisy development and it has not been through any planning process.

The application for a license has been submitted for the area of the premises that excludes the unconsented extension- an “alcohol boundary” has been drawn but in reality the building is one and openly connected internally. The two areas cannot be treated separately when they are one space. As soon as there is any through traffic to the wooden building (to serve food or Shisha, take out rubbish, or pass deliveries to Deliveroo drivers for instance) then essentially you have an outdoor space playing music with the noise from a bar in the middle of a residential area. There is no information on whether the adjoining doors and walls have adequate soundproofing. No planning process has been undertaken to determine the nature of the building or its impacts. Local residents have had no say. This has been the source of a great deal of anxiety- to see a huge structure with detrimental noise and disturbance impacts basically over the road from children's bedrooms is extremely distressing.

Please note that although the area of the extension is not included in the licensing application, but this area forms an inextricable whole with an extension that has not been assessed through planning for noise and public nuisance? This directly contradicts Council Licensing policy.

(ii)The planning department is unable to intervene in the construction despite being aware of it, because can only take enforcement steps on the extension when the use is clear, but I am concerned if they have a license they will open nonetheless.

To issue a license at this juncture with all its potential impacts and without a proper joined up process would be deeply concerning.

I cannot see how any of this can be in accordance with the letter or intent of Council Licensing and Planning Policies which we have reviewed. Finally, to simply take assurances about impact from an

applicant that has basically shown contempt for due planning process and the ability of local residents to have a say on developments would be heavily flawed in process and likely to lead to severely detrimental impacts.

It is clear that the intention is to open a late night liquor/music venue and Shisha bar- this would require both change of use and planning consent.

Please confirm that you have received this objection and I do not need to do anything else.

Thank you

Karen

Councillor Karen Young

Queen Edith's Ward

Cambridge City Council

Tel: [REDACTED]

[REDACTED]

08/01/2023

Commercial and Licensing Team, Environmental Services, Cambridge City Council, PO Box 700, Cambridge, CB10JH

Dear Sir/Madam,

RE: OBJECTION TO PREMISES LICENCE APPLICATION - SUNSET LOUNGE, 106 CHERRY HINTON ROAD, CB1 7AJ

Note: I request that this email is not publicly published. I request that my personal details are kept confidential and not made publicly available.

I am writing to formally object to the Premises Licence application for Sunset Lounge, located at 106 Cherry Hinton Road, CB1 7AJ, [REDACTED]

My primary concern lies with the potential increase in noise levels and disturbances resulting from the granting of a Premises License to Sunset

Lounge. The current modifications to the premises have already led to considerable noise disturbance from music and from staff/customers onsite, extending beyond midnight on multiple occasions (particularly in the extension area of the property) as well as frequently up to or past 11pm. As such, disturbance is already occurring before any licence (apart from TENs) has been granted. Dates of particular noise disturbance include the 16th December and the 5th January. I believe that on the latter occasion there may not have been a TENs in place. As a result of the above my ability to enjoy a peaceful living environment has already been greatly impacted.

Continuing alcohol sales and the granting of a Premises Licence to the premises is likely to exacerbate the existing problems, further compromising my quiet enjoyment of my residence. The association of alcohol with increased noise levels, potential unruly behavior, and disturbances poses a direct threat to my well-being and that of local residents in a mostly residential area.

In light of these significant and ongoing concerns, I strongly urge the relevant decision makers to not grant a Premises licence to Sunset Lounge due to the detrimental effects outlined above.

Yours faithfully,

A solid black rectangular box used to redact the signature of the sender.

From: Alistair Funge [REDACTED]
Sent: 12 December 2023 10:47
To: licensing (CCity) <licensing@cambridge.gov.uk>
Cc: Christopher Braybrooke [REDACTED]
Subject: 274753 - Application received under the Licensing Act 2003 for a new Premises Licence – Sunset Lounge, 106 Cherry Hinton Road, Cambridge, CB1 7AJ

Dear Kay,

My reference EN/00388/23.

Thank you for your email advising of an application for a liquor licence at the above site. I wish to make the following comments in relation to the application:

1. The lawful planning use of the premises falls under use class E. No planning permission exists for the site to be used as a Shisha Lounge, which would be a sui generis use, outside of class E.
2. The lawful use of the site under use class E restricts the opening hours of the business to between 0700 hours and 2200 hours.
3. In addition to the unauthorised material change of use, operational development comprising a new structure and extension have been erected on the site without planning permission and are subject to a compliance investigation which will shortly result in enforcement action.

Regards

Alistair Funge | Senior Compliance Officer

This page is intentionally left blank