



# Public Document Pack

## Cambridge City Council

### LICENSING SUB-COMMITTEE

**To:** Councillors Blencowe, Saunders and Smith

*Despatched: 19<sup>TH</sup> April 2012*

**Date:** Monday, 30 April 2012

**Time:** 10.00 am

**Venue:** Committee Room 1 & 2 - Guildhall

**Contact:** Toni Birkin

**Direct Dial:** 01223 457086

### AGENDA

- 1 APPOINTMENT OF CHAIR
- 2 DECLARATION OF INTEREST
- 3 HEARING PROCEDURE
- 4 CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENCE VARIATION TO BE GRANTED: CITY KEBAB, 73 REGENT STREET, CAMBRIDGE, CB2 1AB (*Pages 1 - 34*)

## Information for the Public

QR Codes  
(for use with Smart  
Phones)



**Location** The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

**Public Participation** Some meetings may have parts, which will be closed to the public, but the reasons for excluding the press and public will be given.

To speak at a Licensing hearing, you must have made a representation during the consultation period on the relevant application and registered your intention to speak with the Licensing department prior to the hearing.

The Licensing department can be contacted on 01223 457000 or [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk).

For general advice about speaking at committees please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

**Filming, recording and photography** Filming, recording and photography at council meetings is allowed subject to certain restrictions and prior agreement from the chair of the meeting.

Requests to film, record or photograph, whether from a media organisation or a member of the public, must be made to the democratic services manager at least three working days before the meeting.

The Democratic Services Manager can be contacted on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

**Fire Alarm** In the event of the fire alarm sounding please follow the instructions of Cambridge City Council staff.

**Facilities for disabled people** Access for people with mobility difficulties is via the Peas Hill entrance.

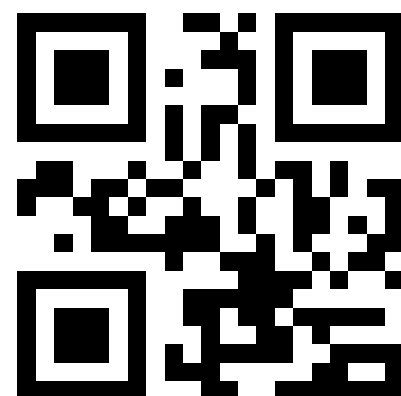
A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.

Adapted toilets are available on the ground and first floor.

Meeting papers are available in large print and other formats on request.

For further assistance please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

**Queries on reports** If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).



**General  
Information**

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## 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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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Jas Lally  
Head of Refuse and Environment

TO: Licensing Sub-Committee

30/04/2012

WARDS: Market

### **Consideration Of An Application For A Premises Licence Variation To Be Granted: City Kebab, 73 Regent Street, Cambridge, Cb2 1ab**

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#### **1 INTRODUCTION**

1.1 An application under section 34 of the Licensing Act 2003 for a Premises Licence Variation to be granted in respect of City Kebab, 73 Regent Street, Cambridge, CB2 1AB has been received from Freshness Limited. The application, which is attached to the report as Appendix A, and a plan of the premises, which is attached to the report as Appendix B, were served on Cambridge City Council (the Licensing Authority) on 7<sup>th</sup> March 2012. A copy of the application was also served on each responsible authority.

1.2 The applicant is seeking a variation to the premises licence to permit the following:

Supply of Alcohol (for consumption on the premises)

Mon – Sun 11:00 to 04:00

1.3 The applicant has indicated in part P of the application (Appendix A) that the following steps will be taken to promote the four licensing objectives:

The prevention of crime and disorder

1. The opening and closing times of the premises shall clearly be indicated outside the premises.

2. Alcohol shall only be supplied to customers as an ancillary to a meal and staff shall be trained on the requirement to do this.
3. The DPS or relevant person will actively operate "Challenge 25 Policy" This will include an agreement to only accept identity cards with the "Pass" accreditation; passports; photo ID driving licences; any National identity card as ruled by any British Court as a bona-fide recognised form of identification; or any future identification card as approved by central government; as bona-fide recognised forms of identification. Posters shall be on display to ensure customers are aware of this and all staff will be suitably trained to take relevant action in regard of asking for proof of age.

#### Public safety

4. A log book or recording system shall be kept on the premises to record any incident at the premises. This log book shall be kept available and produced for inspection by an Authorised Officer on request.
5. The first aid kits shall be kept on site and regularly checked and maintained and shall be available at all times in case of accidents.
6. All parts of the premises shall be adequately illuminated and those routes to which any persons have access to and from the premises shall be kept clear.
7. Heating and ventilation systems shall be maintained in satisfactory conditions at all times.
8. Free tap water shall be provided to customers on request.

#### The prevention of public nuisance

9. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Noise from the premises shall not be audible within any noise sensitive premises with windows open for normal ventilation especially after 23:00.
10. The delivery of goods, food or drinks or any other materials for the operation of the business shall be carried out at such time or in such a manner as to prevent nuisance or disturbance to nearby residents.
11. Staff shall ensure customers conduct themselves in such a manner as to prevent nuisance and disturbance to nearby residents on the arrival and departure of the premises.
12. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
13. Waste from the premises shall be kept securely in a designated area and the movement of bins and rubbish outside the premises shall be kept to a minimum especially after 23:00.

14. Cooking, noxious or persistent smells shall not cause a nuisance to nearby properties and must be properly vented.
15. Prominent, clear and legible notices at the exit shall be displayed requesting patrons departing to respect the needs of local residents and to leave the premises and the area quietly.
16. Waste receptacles shall be placed at the rear of the premises and shall be emptied three days a week after 07:00.

The protection of children from harm

17. Where in regard of the 'Challenge 25' policy, if no proof of age is provided, sale of alcohol shall not be made.
- 1.4 If the application is granted, in whole or in part, such that the Licence authorises the supply of alcohol for consumption on the premises, the following mandatory conditions will be attached to Annex 1 of the Licence:
1. No supply of alcohol may be made under the premises Licence -
    - (a) at a time when there is no designated premises supervisor in respect of the premises, or
    - (b) at a time when the designated premises supervisor does not hold a personal Licence or his personal Licence is suspended.
  2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
  3. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

6.(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

7. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

- 1.5 In accordance with the regulations of the Act, the application was advertised on the premises and in the Cambridge Evening News to invite representations from responsible authorities and interested parties. The last date for submitting representations was 4<sup>th</sup> April 2012.
- 1.6 One representation from a Responsible Authority has been received, from Cambridgeshire Constabulary and is attached to the report as Appendix C. The representation from Cambridgeshire Constabulary refers to the premises being located in one of the City's cumulative impact areas. The Police oppose this variation application.
- 1.7 No representations were received from the remaining Responsible Authorities. The Planning Department has advised that although they are not making representation, the hours of use for the premises are restricted to 03:30 daily.
- 1.8 No representations were received from Interested Parties.
- 1.9 The application is yet to be determined.

## **2. RECOMMENDATIONS**

- 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 A premises licence authorising the provision of late night refreshment for City Kebab, 73 Regent Street, Cambridge was granted on 24<sup>th</sup> October 2005. The licence was transferred to Freshness Limited on 7<sup>th</sup> January 2009 and is attached to the report as Appendix D.
- 3.2 An application to vary the Designated Premises Supervisor (DPS) has been received, specifying Mr Mustafa Silfikur as the proposed DPS.
- 3.3 The premises is situated within a cumulative impact area. It is therefore subject to a special policy on cumulative impact. The special policy creates a rebuttable presumption that applications

within cumulative impact areas for new premises licences or variations 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, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced. Cumulative impact has been referred to in the representation received from Cambridgeshire Constabulary but it has not been addressed by the applicant.

- 3.4 The Council's Statement of Licensing Policy contains information on the cumulative impact.
- 3.5 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
  - 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 also advertised on the premises and in a local newspaper circulating within the vicinity of the premises. During the consultation period, responsible authorities and interested parties (those living or working within the vicinity of the premises or Elected Members of the Licensing Authority), 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 Responsible Authority and 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.

## **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 fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in 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 Food & Occupational Safety Team, Cambridge City Council's Environmental Services, Cambridge City Council's Environment & Planning Department, Cambridgeshire County Council's Child Protection & Review Unit and Cambridgeshire County Council's Trading Standards Department 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](#)

[The Council's Statement of Licensing Policy](#)

To inspect these documents either view the above hyperlinks or contact Debbie Stoker on extension 7879



The author and contact officer for queries on the report is Debbie Stoker on extension 7879.

Report file:

Date originated: 19<sup>th</sup> April 2012

Date of last revision: 19<sup>th</sup> April 2012

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Application to vary a premises licence under the Licensing Act 2003



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
 You may wish to keep a copy of the completed form for your records.

I/We FRESHNESS LIMITED

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PREMCAM 000419
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
FRESHNESS LIMITED CITY KEBAB 73 REGENT STREET			
Post town	CAMBRIDGE	Post code	CB2 1AB

Telephone number at premises (if any)	0208 462 60 68
Non-domestic rateable value of premises	£13,250

Part 2 – Applicant details

Daytime contact telephone number	0208 462 60 68		
E-mail address (optional)	DILAN@ESILICENCE.COM		
Current postal address if different from premises address	53 RAMSDEN SQUARE		
Post Town	CAMBRIDGE	Postcode	CB4 2BN

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

TO INCLUDE THE SALE OF ALCOHOL MONDAY TO SUNDAY FROM 11:00AM TILL 4:00AM.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P



M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	11:00	04:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)  NONE       <u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	11:00	04:00			
Wed	11:00	04:00			
Thur	11:00	04:00			
Fri	11:00	04:00			
Sat	11:00	04:00			
Sun	11:00	04:00			

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)  NONE
Day	Start	Finish	
Mon	11:00	04:00	
Tue	11:00	04:00	
Wed	11:00	04:00	
Thur	11:00	04:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	11:00	04:00	NONE
Sat	11:00	04:00	
Sun	11:00	04:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

NONE

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence



P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

I will obey by current and existing health & safety and fire safety regulations. I will also make certain that permitted activities will only be in use in the hours as submitted in application:

I will take any alcohol related subjects seriously as is this the main purpose of my premises licence application. Therefore, there will be no sale of alcohol at the times where there is no designated premises supervisor in respect of the premises licence and I will obey by all factors that I have stated within the licensing objectives

I have taken the HABC Personal Licence training programme and I am aware of the importance of this course in favour of the avoidance of the irresponsible promotion's of alcohol. This section (Pg. 57) was covered within the training and I do have a copy of the HABC Personal Licence Handbook. I am also able to supervise my staff as well as train and guide them on their responsibilities under the Licensing Act 2003

b) The prevention of crime and disorder

- The opening and closing times will clearly be indicated outside the premises.
- Custom will only be provided to persons of an orderly manner and any customers that act of an irresponsible manner will be reminded to conduct themselves.
- Alcohol will only be permitted to customers to which will conduct with a meal and trained staff will be well informed on the responsibilities of doing this.
- Customers will be only able to make alcohol orders from relevant trained staff
- I will undertake the 'Challenge 25' scheme. Posters will be on display to insure customers are aware of this and all staff will be suitably trained to take relevant action in regard of asking for prove of age.

c) Public safety

- A log book or recording system shall be kept upon the premises in which any incident was to occur. This log book shall be kept available and produced for inspection when required by person authorised by the Licensing Act 2003 or associated legislation.
- The first aid kits on site will regularly be checked and maintained and will be available at all times in case of any accidents
- All parts of the premises will be adequately illuminated and those routes to which any persons have access to and from will be at my best interest to stay clear.
- Heating & ventilation systems will maintain in satisfactory conditions at all times
- Free tap water will be provided to customers on request

d) The prevention of public nuisance

- Noise or vibration will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. In general terms, noise from the premises will not be audible within any noise sensitive premises with windows open for normal ventilation especially after 11pm.
  - The delivery of goods, food or drinks or any other materials for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
  - I will ensure that staff or customers will conduct themselves in such a manner as to prevent nuisance and disturbance to nearby residents on the arrival and departure of the premises.
  - Unless of smoking, persons will be asked not to stand around talking on the street outside the premises.
  - Regular maintenance will be carried out on all plant and machinery to ensure that noise disturbance from such sources are kept to a minimum.
  - Waste from premises will be kept securely in a designated area and the movement of bins and rubbish outside the premises will be kept to a minimum especially after 11pm. This will help to reduce the levels of noise produced by the premises.
  - Cooking, noxious or persistent smells from the premises will not cause a nuisance to nearby properties must be properly vented.
- 
- Prominent, clear and legible notices at the exit will be displayed requesting patrons departing to respect the needs of local residents and to leave the premises and the area quietly.
  - The placing of waste receptacles are placed at the rear of the premises and is contracted with the Cambridge City Council to be emptied three days a week after 07:00 am

e) The protection of children from harm

- In the interest of protecting children, no persons under the age of 18 will be permitted to any sale of alcohol.
- Where in regard of the 'Challenge 25' scheme, if no proof of age is provided, sale of alcohol will again not be made.
- An adult member of staff will be reminded to keep an eye on the areas occupied by children under the age of 18.



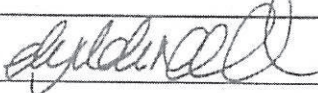
Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	06.03.2012
Capacity	LICENSING AGENT

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

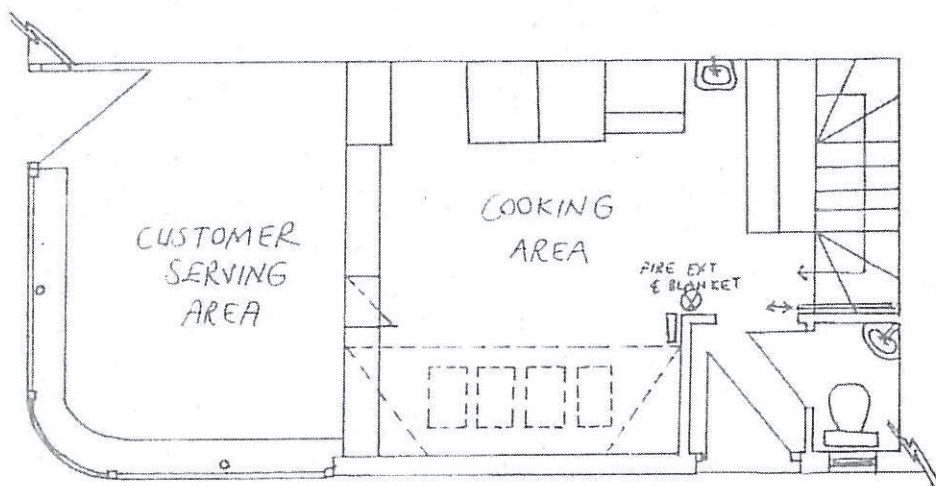
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

MISS DILAN YILDIRIM  
ESI LICENCE  
84 HAYES LANE  
BROMLEY

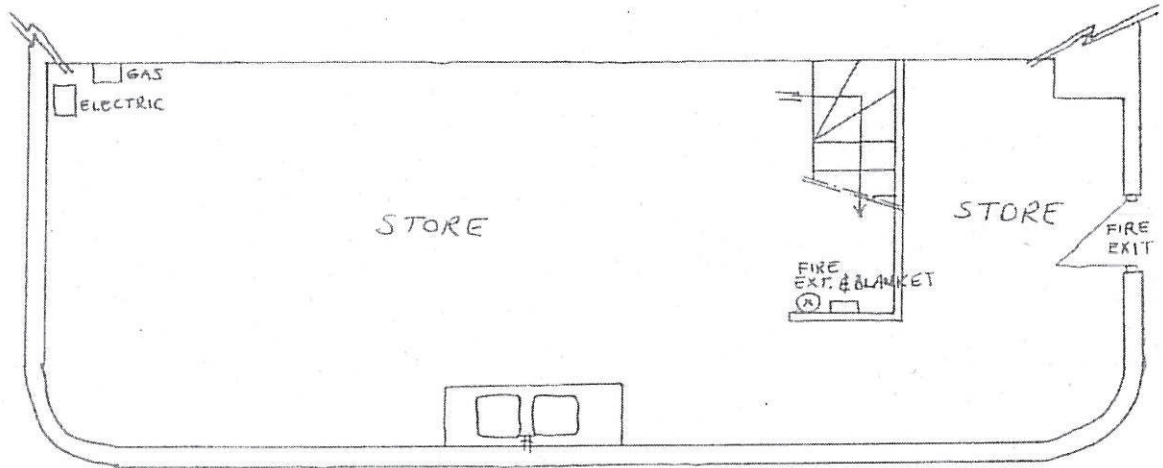
Post town	KENT	Post code	BR2 9EE
Telephone number (if any)	0208 462 60 68		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) DILAN@ESILICENCE.COM			

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CITY KEBAB  
73 REGENT STREET  
CAMBRIDGE CB2 1AB

GROUND FLOOR PLAN  
Scale = 1:50



CITY KEBAB  
73 REGENT STREET  
CAMBRIDGE

BASEMENT PLAN  
Scale: 1:50

Our Ref: PC60 Licensing/ City Kebabs

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



Creating a safer  
**Cambridgeshire**

03/04/2012

Dear Robin,

SUBJECT: City Kebabs 73, Regent Street, Cambridge CB2 1AB

Please find attached Police representation in regard to the application for the grant of a premises licence for the retail sale of alcohol & late night refreshment. These representations are in regard to licensing objectives for Prevention Of Crime and Disorder, Public nuisance &, Public Safety

Yours Sincerely

A handwritten signature in black ink that reads 'P. Sinclair'. The signature is written in a cursive style.

Pc60 Peter Sinclair  
Divisional Licensing Officer  
Southern Division  
Parkside Police Station.

CC Dilan@ esilicnce .com 53, Ramsden Square , Cambridge CB4 2BN

**THE LICENSING ACT 2003  
REPRESENTATION FORM FOR “RESPONSIBLE AUTHORITY”**

Please delete as applicable: **POLICE**

Your name	PC60 Peter Sinclair
Job Title	Licensing Officer, Southern Division
Postal Address (inc post code)	Police Station Parkside Cambridge CB1 1JG
Contact telephone number:	01223 823397
Mobile Number:	07738348577
Email address:	<a href="mailto:Peter.sinclair@cambs.pnn.police.uk">Peter.sinclair@cambs.pnn.police.uk</a>

Name of Premises you are making a representation about:	City Kebabs,
Address of the premises you are making a representation about:	73, 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	N/a



Prevention Of Crime & Disorder /Public Nuisance/ Public Safety

Regent Street forms a major part of one of two Cumulative impact zones within Cambridge.

Regent Street remains a hot spot area for alcohol crime and disorder and anti social behaviour. Should the applicant require details of the evidence presented in relation to those areas this can be viewed on pages 16 onwards by clicking on the following link or by copying and pasting the link into web address bar.

<http://www.cambridge.gov.uk/public/docs/statement-of-licensing-policy.pdf>

Regent street is also one of the main thoroughfares for patrons leaving the city centre many of whom at that time of the proposed operation will in all probability will be either drunk, heavily intoxicated or already "in drink".

The location that could not be considered as a destination venue or a place to do a weekly shop such as a supermarket where customers are likely to travel to.

This outlet has a particular niche target market therefore the main individuals after midnight and into the early hours of the morning are likely to be those exiting the city after using the pubs and clubs on their way home at that time in the morning.

This will give them the opportunity to consume more alcohol after other venues have shut, and also encourage them to remain in the area. This is at odds with police strategy where we actively encourage to patrons from licensed venues to disperse away from the city in order to reduce the potential for disorder rather than hang around and congregate

Even without considering the fact that the outlet is situated within a cumulative impact zone the government recognised these particular issues when it published its revised guidance in October 2010 under Section 182 Licensing Act 2003, namely:

10.20 However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times. Where there are objections to an application and the committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested.

10.21 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours. For example, a limitation may be appropriate following police representations in the case of some shops known to be a focus of disorder and disturbance because youths gather there.

Experience shows us that when food takeaways outlets are operating when pubs and clubs are dispersing are often flash points for problems which invariably lead to confrontations, assaults fights, general disorder and nuisance taking place in and around the premises. It can also be very intimidating for staff working in the premises.

This outlet already suffers from incidents of crime and disorder this additional facility undoubtedly will not be very attractive to shop staff who have already been at risk during the venues operation, I doubt that there would be much will or appetite for the staff to actively challenge patrons that are displaying signs of intoxication.

As stated at the times proposed experience shows us that the core of the potential customers are likely to be either drunk or very intoxicated and already worse the wear for drink. Those individuals are likely to be the main target audience for sales into the early hours of the morning. The suggestion that the venue be allowed to sell alcohol in bottles or cans at that time of night greatly concerns us. We make a point of encouraging staff at venues including door staff to prevent customers leaving their venues with bottles or glasses, yet the likely scenario here if this licence were to be granted is that many intoxicated customers will avail themselves with alcohol alongside their takeaway and are at liberty to wander off into the streets choosing what they do with the article whether to use it as a weapon, litter the streets or peoples gardens on their way home or end up throwing through it a car windscreen, the scenarios are numerous and none are a very attractive proposition for the police.

The police have worked hard to improve and reduce offences of alcohol related crime and disorder in the city even employing a dedicated police city centre team to deal with the night time economy issues

The cumulative impact areas have also been in our view very effective in reducing alcohol related crime and disorder and we do not wish to see that good work undone.

This application should also be viewed with the back drop of new legislation enacted by the government who are actively seek to rebalance the licensing regime in favour away from the operator and give further say and influence to the police and other authorities . These include measures to prevent premises opening in the early hours where there are problems in the area such as Early morning restriction orders (Emros) .

The Police oppose this application and believe it is a really bad and ill thought out proposal and in our view appears to be purely based on the applicant increasing his profit margin as opposed to "offering customers an additional service" .It does not appear from the operating schedule that the applicant comprehends or considers the consequences that may arise. There is a particular lack in the operating schedule of any credible preventative measures and in reality the staff will have little or no control over the customers who are effectively walking away from any intervention from the outlet the mix of alcohol this is an unhealthy mix.

Because of the above reasons the police believe that the granting of an alcohol licence at the location would have a negative impact on the licensing objectives, in particular, crime & disorder, public nuisance and public safety

03/03/2012

*P. Lincain*

In regard to Cumulative impact areas the guidance states

### **Effect of special policies**

13.29 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.



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 Divisional Commanders and to Divisional Superintendents 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

Simon Parr  
Chief Constable  
Cambridgeshire Constabulary

Dated

7/9/10

Part A

Licensing Act 2003  
 Format of premises licence  
 CAMBRIDGE CITY COUNCIL



Premises licence number

PRECAM 000419

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**City Kebabs**  
**73 Regent Street**

Post town

**Cambridge**

Post code

**CB2 1AB**

Telephone number

Where the licence is time limited the dates

**N/A**

Licensable activities authorised by the licence

**Late Night Refreshment**

The times the licence authorises the carrying out of licensable activities

Activity	Late Night Refreshment - Indoors				
Day	Times				
Sun	11:00	04:00			
Mon	11:00	04:00			
Tue	11:00	04:00			
Wed	11:00	04:00			
Thurs	11:00	04:00			
Fri	11:00	04:00			
Sat	11:00	04:00			

The opening hours of the premises

Day	Times				
Sun	11:00	04:00			
Mon	11:00	04:00			
Tue	11:00	04:00			
Wed	11:00	04:00			
Thurs	11:00	04:00			
Fri	11:00	04:00			
Sat	11:00	04:00			

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

**N/A**



Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Freshness Limited**  
**73 Regent Street**  
**Cambridge**  
**CB2 1AB**

**01223 464444**

Registered number of holders, for example company number, charity number (where applicable)

**N/A**

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

**N/A**

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**N/A**



**Annex 1 - Mandatory conditions**

-

**Annex 2 - Conditions consistent with the operating schedule**

**The Prevention of Crime and Disorder**

1. The licence holder shall provide and maintain a suitable and sufficient CCTV surveillance system that produced images of sufficient quality for identification. Image shall be retained for 31 days and made available to the Police upon request.

**Public Safety**

2. A fire alarm shall be installed and maintained in working order.
3. Fire fighting equipment shall be installed at the premises and staff trained in the use of this equipment.

**The Prevention of Public Nuisance**

4. Adequate and suitable receptacles must be provided to receive and store refuse from the premises.
5. Litter must be regularly cleared from the vicinity of the premises.

**Annex 3 - Conditions attached after a hearing by the licensing authority**

-

**Annex 4 - Plans**

See attached

This licence was granted on: 24th October 2005

**CAMBRIDGE**  
**CITY COUNCIL**

Part B  
 Licensing Act 2003  
 Premises licence summary



Premises licence number **PRECAM 000419**

Premises details

Postal address of premises, or if none, ordnance survey map reference or description <b>City Kebabs</b> <b>73 Regent Street</b>	
Post town <b>Cambridge</b>	Post code <b>CB2 1AB</b>
Telephone number	

Where the licence is time limited the dates  
**N/A**

Licensable activities authorised by the licence  
**Late Night Refreshment**

The times the licence authorises the carrying out of licensable activities					
Activity	<b>Late Night Refreshment - Indoors</b>				
Day	Times				
Sun	11:00	04:00			
Mon	11:00	04:00			
Tue	11:00	04:00			
Wed	11:00	04:00			
Thurs	11:00	04:00			
Fri	11:00	04:00			
Sat	11:00	04:00			

The opening hours of the premises					
Day	Times				
Sun	11:00	04:00			
Mon	11:00	04:00			
Tue	11:00	04:00			
Wed	11:00	04:00			
Thurs	11:00	04:00			
Fri	11:00	04:00			
Sat	11:00	04:00			

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies  
**N/A**



Name, (registered) address of holder of premises licence

**Freshness Limited**  
**73 Regent Street**  
**Cambridge**  
**CB2 1AB**

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

N/A

State whether access to the premises by children is restricted or prohibited

N/A

This licence was granted on: 24th October 2005



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