

**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

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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