

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.

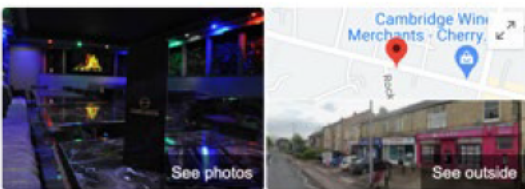
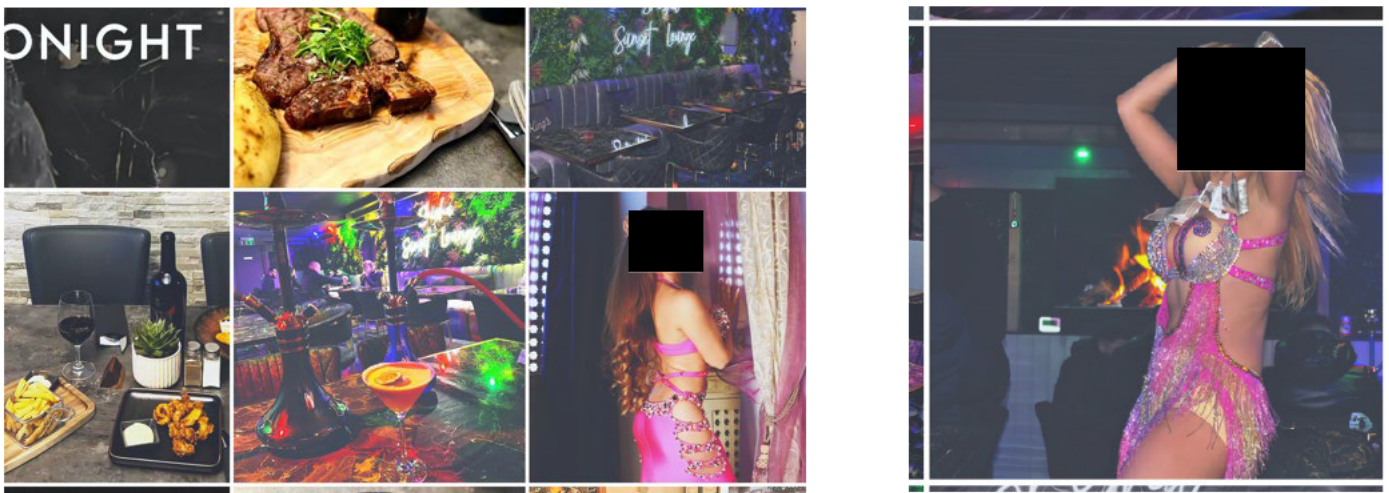
It would seem perverse to transfer the risk to local residents to prove public disturbance after granting a license when it is already occurring



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:**

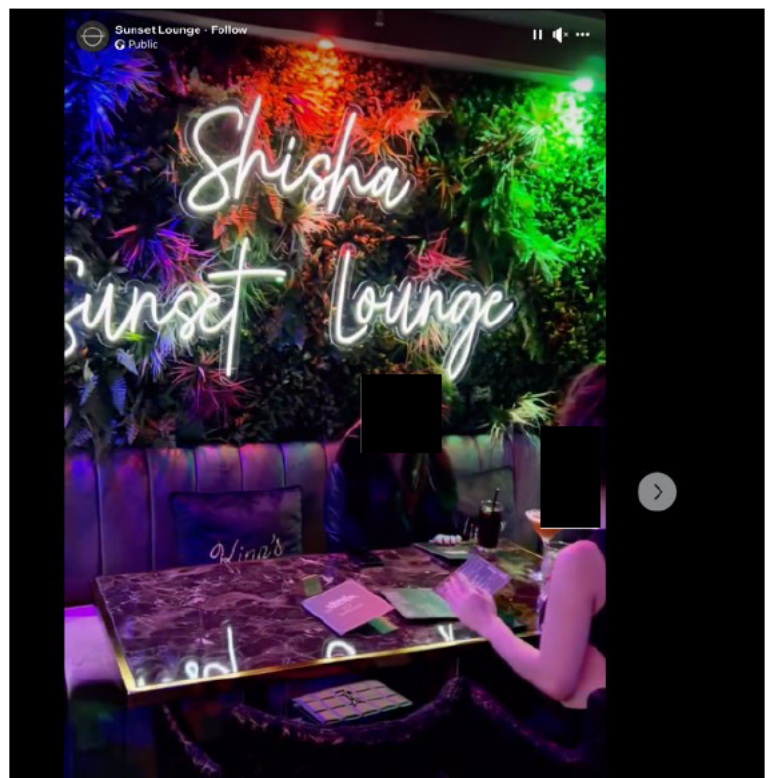
- Saturday 12–11 pm
- Sunday 12–11 pm
- Monday 12–11 pm
- Tuesday 12–11 pm
- Wednesday 12–11 pm
- Thursday 12–11 pm
- Friday 12–11 pm

Updated by this business 5 weeks ago

[Suggest new hours](#)

**Phone:** 07769 639958

**Menu:** [sunsetlounge.net](http://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](http://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.

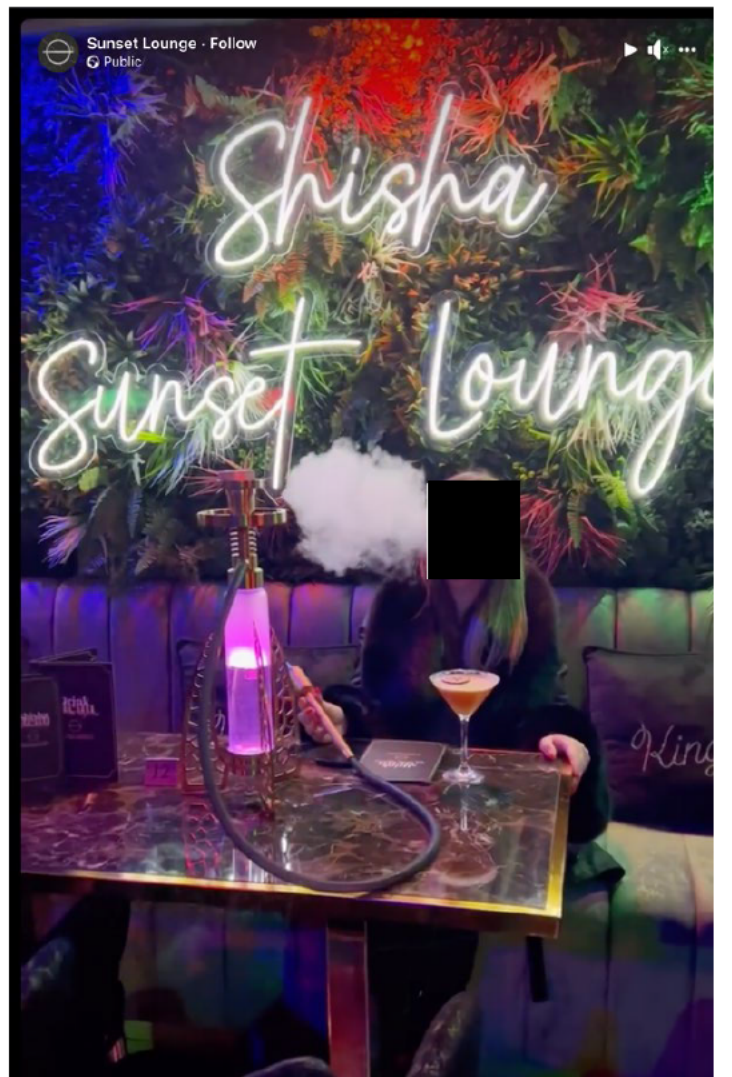
Sunset Lounge in Cambridge is a vibrant environment that combines the Mediterranean cuisines with a Bar and Lounge.

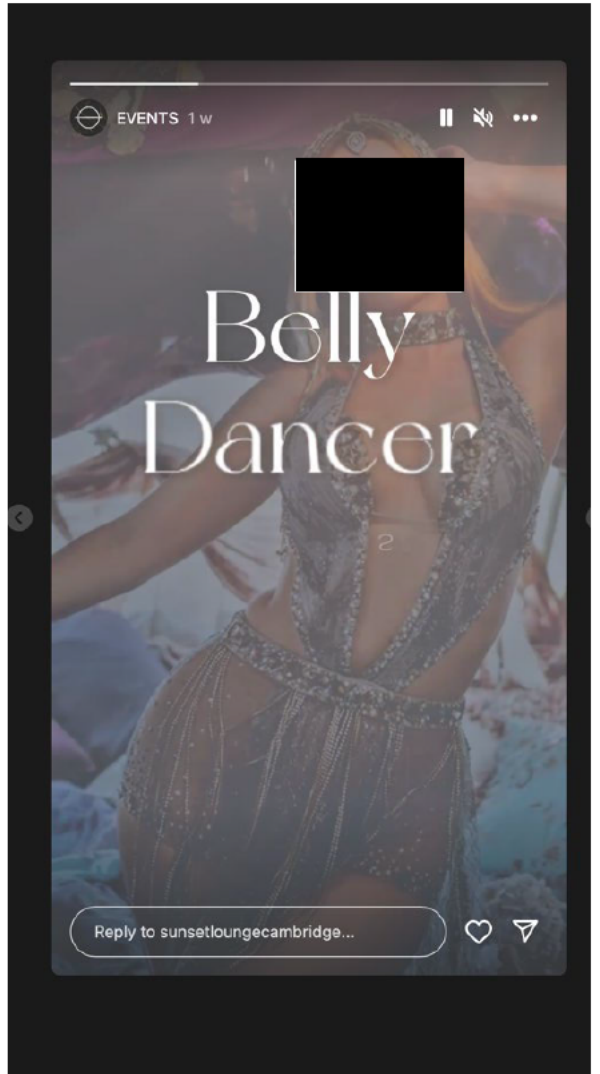
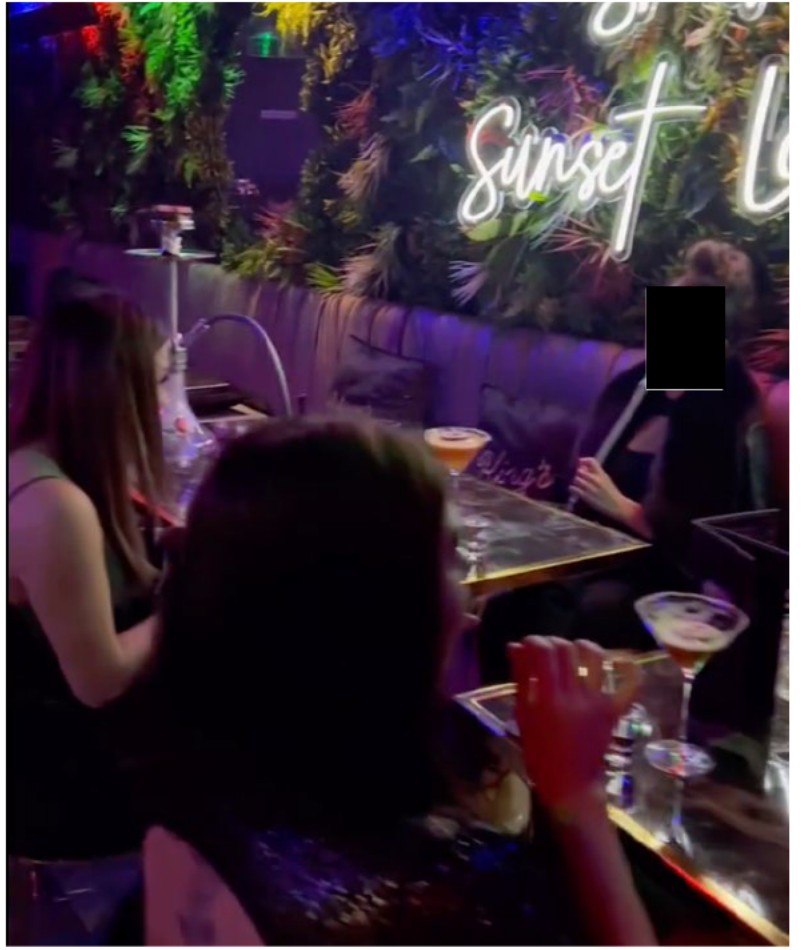
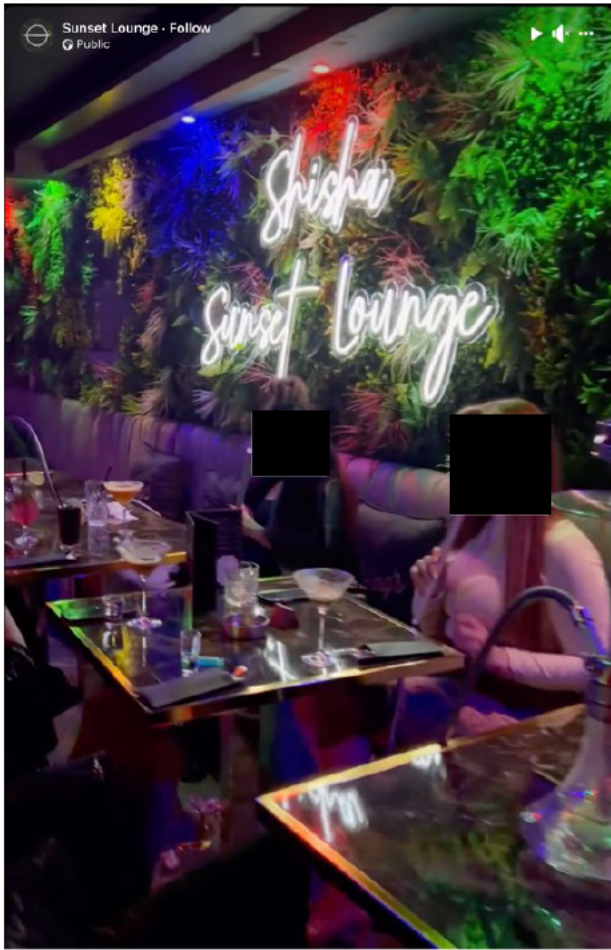
[www.sunsetlounge.net](http://www.sunsetlounge.net)... **See more**



Belly Dancer  
TONIGHT FROM 10PM

Click to expand





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

**Sent:** 07 January 2024 20:12

**To:** licensing (CCity) <[licensing@cambridge.gov.uk](mailto: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

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**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]

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[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 16<sup>th</sup> December and the 5<sup>th</sup> 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.