Agenda Item

CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED

A Taste of Sicily, 106 Cherry Hinton Road, Cambridge, CB1 7AJ

To: Licensing Sub-Committee:

Report by: Wangari Njiiri

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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 A Taste of Sicily, 106 Cherry Hinton Road, Cambridge CB1 7AJ, has been received from La Cucina Di Nonna Ltd. The application was served on Cambridge City Council (the Licensing Authority) on 10th March 2025. A copy of the application was also served on each responsible authority. The application is attached to the report in Appendix 1. Plans can be viewed in Appendix 2.

1.2 The applicant is seeking to provide the following licensable activities:

- Supply of Alcohol (for consumption both on and off the premises)
  - Monday to Sunday between the hours of 11:00 and 23:00.
  - New Year's Eve until 02:00

- Recorded Music (Indoors)
  - Monday to Sunday between the hours of 11:00 and 23:00
  - New Year's Eve until 02:00

1.3 In accordance with the regulations of the Act, the application was advertised on the premises and in Cambridge News on 13th March 2025 to invite representations from responsible authorities and other persons. The last date for submitting representations was 7th April 2025.

1.4 Representations were received from 5 'Other Persons'. The representations are attached to the report as Appendix 3.

1.5 No representations were received from other Responsible authorities. However, Trading Standards provided applicant with Challenge 25 information and Environmental Health agreed conditions with applicant. These conditions are attached to the report Appendix 4.

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 opened as a Italian restaurant in February 2025, it was previously Sunset Lounge, a Shisha restaurant, and prior that Palkee Bengali Take-Away.

3.2 The premises is currently subject to extant planning conditions. A number of representations received made reference to ongoing planning-related matters; however, such details in submissions fall

outside the remit of the Licensing Sub-Committee, as they do not pertain to any of the four statutory licensing objectives. However, these comments have been included within this report for contextual purposes, regarding the existing planning issues, particularly those 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

1 **Appendix 1 –** Application Form
Appendix 2 – Plans
Appendix 3 – Representations
Appendix 4 – Environmental Health agreed conditions

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

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