

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Licensing Sub-Committee (2003 Act)
AUTHOR/S: Chief Environmental Health Officer

APPLICATION TO GRANT A PREMISES LICENCE TAMARIND

The Application

1. The application (APPENDIX A) to Grant a licence for the Tamarind, 1 High Street, Taversham, CB1 9AS, was received by the licensing section on the 17th February 2020. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003.

The application is for the Grant of a new Premises Licence.

The requested days and times for opening, Sale of Alcohol for consumption on the premises and provision of unamplified recorded music to take place indoors applied for are as follows:-

Monday 11:30 to 23:00
Tuesday 11:30 to 23:00
Wednesday 11:30 to 23:00
Thursday 11:30 to 23:59
Friday 11:30 to 23:59
Saturday 11:30 to 23:59
Sunday 12:30 to 23:00

Background

2. The premises are located on the High Street in Taversham, which constitutes a mixture of residential houses and local shops. A map of the interior (APPENDIX B) and exterior (APPENDIX C) of the premises were received
3. As required by the Licensing Act policy, the application was sent to all responsible authorities for consultation as part of the licensing application process and representations were received from Environmental Services, Cambridgeshire Fire & Rescue Service as part of this process, however emails were also received from East of England Immigration Compliance and Enforcement Team on 18th February (see section 7)
4. A photograph of the Blue Notice correctly displayed was received (Evidence available)
5. The Notice was advertised in the Cambridge Independent on the 4th March 2020 (Evidence available)

6. Right to work checks were made on the applicant as part of the application and were approved.

Relevant Representations

7. Representations have been received from:
 - a) East of England Immigration Compliance and Enforcement Team
(Appendix D)
Relating to the prevention of crime and disorder objectives
 - b) Cambridgeshire Fire & Rescue Service
(Appendix E)
Relating to issues surrounding public safety objective
 - c) Environmental Health
(Appendix F)
Relating to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm objectives

Officer's Views

8. Members are aware that the Legislation requires all hearings to be heard within 20 days of the close of the Consultation period. However, there is provision, if it is in the Public Interest, for that time period to be extended. Because of the Covid 19 Restrictions the time period for this application was extended to enable provision to be made for the hearing to be conducted remotely.
9. Members when considering the application should be aware that they may only take into consideration the parts of the application that represent the licensing objectives.
 - 1) The Prevention of Crime and Disorder
 - 2) Public Safety
 - 3) The prevention of public nuisance
 - 4) The protection of children from harm
10. Members have the right under the Licensing Act 2003 to determine this application after considering any relevant representations
11. The Licensing Act does not exempt the Council from fulfilling its obligations under s17 of the Crime and Disorder Act 1998.
12. The Immigration Act 2016 and the Policing and Crime Act 2017 and will incorporate these pieces of legislation into its licensing processes as a matter of course.

13. To achieve these objectives the Council will use its full range of powers and will engage all relevant responsibilities including planning controls, transport controls, crime reduction controls and relevant policies or strategies that will promote the Licensing objectives. The Council will work closely with the Police, Fire Service, Businesses, community representatives and local people in meeting these objectives.
14. There is no application for Late Night Refreshment and therefore hot food and drink can't be served after 11pm without a further application for a variation.
15. Members may:
 - a. Accept the proposed application as submitted
 - b. Reject the application
 - c. Agree the application but impose conditions that promote the relevant licensing objectives

Policy Considerations

16. The South Cambridgeshire Licensing Policy relating to the Prevention of Crime and Disorder, Public Safety, The prevention of public nuisance and The Protection of Children from Harm.

Legal Implications

15. All parties will maintain a right of appeal to a Magistrate's Court after the determination of this committee.

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