



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE
Telephone: 01353 665555

MEETING: **LICENSING (STATUTORY) SUB-COMMITTEE**
TIME: 2:00pm
DATE: 22nd September 2020
VENUE: Council Chamber, The Grange, Nutholt Lane, Ely
ENQUIRIES REGARDING THIS AGENDA: Adrian Scaites-Stokes
DIRECT DIAL: (01353) 665555 EMAIL: adrian.scaites-stokes@eastcamb.gov.uk

Conservative Members:

Councillor Lavinia Edwards
Councillor Alan Sharp

Substitute Members:

Councillor Julia Huffer
Councillor Jo Webber

Quorum: 3 Members

Liberal Democrat Member:

Councillor Simon Harries

Substitute Member:

Councillor John Trapp

A G E N D A

- 1. Election of Chairman**
To elect the Chairman of the Licensing (Statutory) Sub-Committee for the municipal year
- 2. Application for the Grant of a new Premises Licence – Licensing Act 2003**
To consider the above matter in accordance with the Hearings Procedure (attached)

NOTES:

1.	The maximum capacity for meetings in the Council Chamber has been set by the Fire Officer at 100 persons. Allowing for Member/Officer attendance and room layout constraints, this will normally give a capacity for public attendance of 60.
2.	<p>Fire instructions for meetings:</p> <ul style="list-style-type: none">▪ If the fire alarm sounds please make your way out of the building by the nearest available exit - i.e. the back staircase or the fire escape in the chamber. Do not to use the lifts.▪ The fire assembly point is in the front staff car park by the exit barrier.▪ This building has an auto-call system to the fire services, so there is no need for anyone to call the fire services. <p>The Committee Officer will sweep the area to ensure that everyone is out of this area.</p>
3.	Reports are attached for each agenda item unless marked “oral”.
4.	<p>If required all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail:</p> <p>translate@eastcambbs.gov.uk</p>
5.	<p>If the Committee wishes to exclude the public and press from the meeting a resolution in the following terms will need to be passed:</p> <p>“That the press and public be excluded during the consideration of the remaining items no. X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 1, 2 and 7 Part I Schedule 12A to the Local Government Act 1972 (as Amended).”</p>

HEARINGS PROCEDURE FOR LICENSING SUB-COMMITTEES

1. Any hearing required under the legislation is to take the form of a discussion led by the Council. Hearings will be held in public unless the Members of the hearing consider that the public interest in excluding the public outweighs the public interest in the hearing or that part of it, taking place in public. For these purposes, a party to the hearing and any person assisting or representing a party may be treated as a member of the public.
2. The Chairman will introduce the Members and participants and explain the procedure to be followed.
3. The Chairman will advise all parties that they must make their submissions succinctly, and that all parties will be afforded the same time which should generally not exceed 10 minutes.
3. If any party has advised the Council they do not intend to attend or be represented at the hearing, the hearing may proceed in their absence.
4. If any party has not indicated they do not intend to attend or be represented at the hearing, the Sub-Committee may:
 - where it considers it necessary in the public interest, adjourn the hearing to a specified date(s); or
 - hold the hearing in that party's absence.
5. Where a hearing is held in the absence of a party, any representations or notice made by that party shall be considered at the hearing.
6. Where a hearing is adjourned to a specified date(s), all parties will be notified forthwith of the date(s), time and place to which the hearing has been adjourned.
7. The Licensing Officer will appear first and will give:
 - a summary of the application/case
 - a summary of the representations made
 - a summary of how the application/case and any relevant representations relate to the provision of the Licensing Policy Statement, any guidance from the Secretary of State and the relevant legislation.

[In the case of enforcement/compliance hearings:

- 7a. *If a complainant is present, they will be asked to give details of their complaint. This procedure will be repeated if there is more than one complainant.*
- 7b. *The licence holder or their representative will be asked to present their case.*
- 7c. *Members, and Legal Officer will be able to ask questions of the licence holder.*
- 7d. *Licence holder or their representative will be asked to provide their closing statement.]*

[In the case of Licensing Act and Gambling Act review hearings:

- 8a. *The review applicant or their representative will be asked to present their case.*
- 8b. *Members, Legal Officer, any other party to the hearing will be able to ask questions of the review applicant.*
- 8c. *Representatives of the Responsible Authorities and/or Statutory Consultees, will appear next to explain their case.*

- 8d. *Members, Legal Officer, any other party to the hearing will be able to ask questions of the Responsible Authorities and/or Statutory Consultees.*
- 8e. *The licence holder or their representative will be asked to present their case.*
- 8f. *Members, Legal Officer, any other party to the hearing will be able to ask questions of the licence holder.*
- 8g. *The licence holder or their representative will be asked to provide their closing statement.]*

[In the case of all other application hearings:

- 9a. *The Applicant or their representative will be asked to present their case.*
- 9b. *Members, Legal Officer, any other party to the hearing will be able to ask questions of the applicant.*
- 9c. *Representatives of the Responsible Authorities and/or Statutory Consultees, and non-statutory Consultees (where applicable) will appear next to explain their case.*
- 9d. *Members, Legal Officer, any other party to the hearing will be able to ask questions of the Responsible Authorities and/or Statutory/Non-statutory Consultees.*
- 9e. *The applicant will be asked to provide their closing statement.]*
10. Members will be able to ask questions of any party at any time during the hearing but will at all times bear in mind the need for all parties to be afforded the same time to make their case.
11. Documentary or other information may be produced for consideration by the hearing by any party attending the hearing either before the hearing, or with the consent of all the other parties, at the hearing.
12. Information which is not relevant to:
- the application/case, representation or notice (as applicable);
 - the provision of the licensing objectives or (in relation to a hearing to consider a notice given by a chief officer of police) the crime prevention objective;
- will be disregarded.
13. For the avoidance of doubt, formal cross-examination will not be allowed at hearings, unless the Members of the hearing consider that it is required for proper consideration by them of any representation, application or notice as the case may require.
14. Should Members during the hearing be of the opinion that a site visit is necessary to enable them to make the decision then the meeting will be adjourned and a site visit carried out in accordance with the Council's Site Visit Guidance.
15. Following the presentations by and questioning of all the parties, the Members of the hearing will generally retire into closed session (either by leaving the room or asking all other parties to do so). The Members will make a decision and record reasons for this.
16. The authority will normally make its determination on the day and announce their decision and the reasons for it at the conclusion of the hearing. However, if stated otherwise by Members before they retire, the decision will be communicated to all parties within 5 working days.

17. The Council shall provide for a record to be taken of the hearing in a permanent and intelligible form and kept for six years from the date of the determination or, where an appeal is brought against the determination of the authority, the disposal of the appeal. The right of appeal is 21 days from the date of notification of the decision.
18. For the avoidance of doubt, any irregularity resulting from any failure to comply with any provision of the Regulations before the authority has made a determination shall not of itself render the proceedings void.
19. In any case of such an irregularity, the authority shall, if it considers that any person may have been prejudiced as a result of the irregularity, take steps as it thinks fit to cure the irregularity before reaching its determination.
20. Clerical mistakes in any document recording a determination of the authority or errors arising in such document from an accidental slip or omission may be corrected by the authority.
21. Any person attending the hearing who in the opinion of the Members hearing the matter is behaving in a disruptive matter may be required to leave the hearing and may:
 - be refused permission to return; or
 - be permitted to return only on the conditions as may be specified by the Members and the hearing PROVIDED THAT such person may, before the end of the hearing, submit to the hearing in writing any information which they would have been entitled to give orally had they not been required to leave.

TITLE: APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE - LICENSING ACT 2003

Committee: Statutory Licensing Sub-Committee

Date: 22 September 2020

Author: Stewart Broome, Senior Licensing Officer

[V61]

1.0 PURPOSE/SUMMARY OF REPORT

1.1 To determine an application for the grant of a new premises licence in respect of Inferno BBQ, 78 Broad Street, Ely, Cambridgeshire, CB7 7BE

2.0 RECOMMENDATION(S)

2.1 That Members consider the content of this report and all of the evidence provided during the hearing, and determine the application in accordance with the options contained in paragraph 4.2 of this report.

3.0 BACKGROUND/OPTIONS

3.1 Premises History

The premises was previously known as Basmati Indian Cuisine. The premises held a premises licence for alcohol and late night refreshment which was converted during the 2005 transitional period from a restaurant licence. The licence permitted licensable activities on the days/times shown in table 1 below. Due to holding a premises licence, the premises was also permitted to have live and recorded music by virtue of the Live Music Act 2012 and the Legislative Reform (Entertainment Licensing) Order 2014. Opening hours were not restricted, as it was a converted licence. This licence lapsed in 2020 as a result of the previous Limited Company which held the licence being dissolved.

Table 1

Licensable Activity	Permitted Hours
Sale by retail of alcohol for consumption on the premises only	11:00 to 00:00 Monday to Saturday
	12:00 to 23:30 Sunday, Good Friday, Christmas Day, New Year's Eve (Sunday)
Late Night Refreshment for consumption on the premises only (table meals)	23:00 to 00:00 Monday to Saturday
	23:00 to 23:30 Sunday, Good Friday, Christmas Day, New Year's Eve (Sunday)

Live and Recorded Music by virtue of the Live Music Act 2012 and the Legislative Reform (Entertainment Licensing) Order 2014.	08:00 to 23:00 Monday to Sunday
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Details of the new application

- 3.4 On 5 August 2020 Inferno BBQ Limited applied for a Premises Licence under section 17 of the Licensing Act 2003 for Inferno BBQ, 78 Broad Street, Ely, CB7 7BE (**Appendix 1**). The application was served on the responsible authorities and advertised in accordance with the regulations of the Licensing Act 2003.
- 3.5 The applicant states that the premises will be an American themed BBQ house, serving breakfast, lunch and dinners, and offering a delivery service. To support this they have applied for a licence that requests the following:

Table 2

Licensable Activity	Proposed Hours
Sale by retail of alcohol for consumption on and off the premises	10:00 to 00:00 Sunday to Thursday
	10:00 to 01:00 Friday and Saturday, Christmas Eve, Boxing Day, New Year's Eve.
Late Night Refreshment (Indoors and Outdoors)	23:00 to 00:30 Sunday to Thursday
	23:00 to 01:30 Friday and Saturday, Christmas Eve, Boxing Day, New Year's Eve.
Films (Indoors), Live Music (Indoors), Performances of Dance (Indoors), Anything similar to Live Music, Recorded Music and Performance of Dance (Indoors)	10:00 to 00:00 Monday to Sunday
	10:00 to 00:30 New Year's Eve
Recorded Music (Indoors)	06:30 to 00:00 Sunday to Thursday
	06:30 to 01:00 Friday and Saturday, Christmas Eve, Boxing Day, New Year's Eve.
Opening Hours	06:30 to 00:30 Sunday to Thursday
	06:30 to 01:30 Friday and Saturday, Christmas Eve, Boxing Day, New Year's Eve.

- 3.6 The plans of the premises can be found at **Appendix 2**.
- 3.7 The applicant has offered steps that they are willing to take to promote the licensing objectives. These can be found in **Appendix 3** to this report.

- 3.8 Although Late Night Refreshment has been completed to say that food will be provided indoors and outdoors, there are no outside areas covered on the plans, and therefore, Late Night Refreshment will only be provided from inside the premises. This is not to be confused with the consumption of the food which would be able to take place on and off the premises, unless conditions were added to prevent such an action.
- 3.9 The existence of planning permission is not a matter for licensing to be concerned with when determining an application, but Members are advised that 78 Broad Street is classed as a restaurant and falls within A3 use, which means that they have permission to serve food and drink for consumption on the premises. They are also able to sell hot food and drink for consumption off the premises providing the main use of the premises was still that defined by the A3 class. It is important to stress that the activity permitted by the planning permission only becomes a licensing issue between the hours of 11pm and 5am, or at any time the drink being sold/served is alcoholic.

Relevant Representations

- 3.9 During the consultation period the Licensing Authority received a valid representation from Environmental Health (**Appendix 4**). No other representations were received from any other responsible authorities.
- 3.10 A total of 22 valid representations were received from other persons permitted by the Licensing Act 2003 to submit representations. During the consultation period 3 of the valid representations were withdrawn. The remaining 19 representations can be found at **Appendix 5**.
- 3.11 At the time of writing this report the applicant has agreed to have the proposed conditions put forward by Environmental Health (table 3 below) added to their licence, should Members be minded to grant a licence. No further agreement has been reached between the applicant and the 19 other persons with outstanding representations.

Table 3

1)	The licence holder shall ensure that, the sale of food and drink above ambient room temperature (late night refreshment) beyond 11pm, is only consumed by persons sitting at a table on the premises, or delivered to their customer's home or place of work.
2)	The licence holder shall ensure that no vehicles used for the delivery of their food shall attend the premises, or park on Broad Street, Jubilee Terrace, Missin Gate, and Ship Lane after 11pm.
3)	The licence holder shall ensure that no new customers enter the premises after 12:30am.

4.0 CONCLUSIONS/DETERMINATION OF APPLICATION

- 4.1 Members are obliged to determine this application with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

In making their decision Members are also obliged to have regard to the Statutory Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. Should Members depart from either they must specify their reasons for doing so. Members must also take into account the information contained within this report, and the evidence submitted, both written (if submission of such information is agreed by all parties at the hearing) and orally during the hearing.

4.2 Members can determine the premises licence application as follows:

- a) to grant the premises licence subject to:
 - (i) the conditions that are consistent with the operating schedule accompanying the application modified to such extent as Members consider appropriate for the promotion of the licensing objectives; and
 - (ii) any mandatory conditions that must be included in the licence;
- (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; or
- (d) to reject the application.

4.3 Members are asked to note that they may not modify or impose new conditions, or reject the whole or part of the application merely because they consider it desirable to do so. It must actually be **appropriate** to do so in order to promote the licensing objectives, and any such step must relate to the actual representations made.

4.4 In determining the premises licence application, Members must provide the reasons for their decisions, and consider their responsibilities under the Human Rights Act 1998, when balancing the rights of the applicant and the rights on those who may be affected.

4.5 Any decision taken must be **appropriate and proportionate** to the objective being pursued. In particular the following should be taken into consideration:

Article 6 – the right to a fair hearing

Article 8 – respect for private and family life

Article 1, First protocol – peaceful enjoyment of possessions (which can include the possession of a licence)

Article 14 – the right to freedom from discrimination.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

- 5.1 The cost of convening a Licensing Sub-Committee to determine an application is covered by the fees paid by licence applicants.
- 5.2 Should there be a decision to modify the premises operating schedule, exclude a licensable activity from the scope of the licence, refusal to specify a person as the designated premises supervisor or reject the application, the applicant can appeal to the Magistrates' Court. There will be costs associated with this process. The right of appeal is 21 days from the date of notification of the decision.
- 5.3 Any party who made relevant representations in relation to the application may appeal the decision. There will be costs associated with this process. The right of appeal is 21 days from the date of notification of the decision.
- 5.4 Equality Impact Assessment (EIA) is not required, as this does not relate to a service provided by the Council or a decision on a change of policy, but an application for a licence by an individual/ organisation.

6.0 APPENDICES

- 6.1 Appendix 1 Application form
- 6.2 Appendix 2 Plan of the premises
- 6.3 Appendix 3 Offered conditions as part of the operating schedule
- 6.4 Appendix 4 Representation from Karen See, Senior Environmental Health Officer
- 6.5 Appendix 5 Representations from other persons

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Licensing Act 2003	Room SF208 The Grange Ely	Lin Bagwell Licensing Officer 01353 616477 stewart.broome@eastcambs.gov.uk
Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, March 2018		
ECDC Statement of Licensing Policy 2016		

**Application for a premises licence to be granted
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 Inferno BBQ Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Inferno BBQ 78 Broad Street Ely Cambridgeshire			
Post town	Ely	Postcode	CB7 4BE

Telephone number at premises (if any)	01353 666660
Non-domestic rateable value of premises	Band B

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)

- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth old or over		I am 18 years		<input type="checkbox"/> Please tick yes	
Nationality					
Current residential address if different from premises address					

Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth old or over		I am 18 years		<input type="checkbox"/> Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Inferno BBQ Ltd
Address Inferno BBQ 5 Hillrow Haddenham Ely Cambridgeshire CB6 3TQ

Registered number (where applicable)
12647540
Description of applicant (for example, partnership, company, unincorporated association etc.)
American BBQ themed restaurant premises
Telephone number (if any)
07557307240
E-mail address (optional)
steve_witchford@aol.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
15	08	2020

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
American BBQ themed restaurant premises

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- 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) X
- f) recorded music (if ticking yes, fill in box F) X
- g) performances of dance (if ticking yes, fill in box G) X
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) X

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

Supply of alcohol (if ticking yes, fill in box J) X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)		

<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	10:00	00:00		Please give further details here (please read guidance note 4) Occasional themed live music events	
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	10:00	00:00			
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) New Year's Eve 10:00 - 00:30		
Sat	10:00	00:00			
Sun	10:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	06:30	00:00	Please give further details here (please read guidance note 4) Background music only during breakfast meal service		
Tue	06:30	00:00		Mainly themed background music with occasional recorded music events during brunch / lunchtime + evening meal service	
Wed	06:30	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	06:30	00:00			
Fri	06:30	01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	06:30	01:00			
Sun	06:30	00:00			
			Christmas Eve	06:30 - 01:00	
			Boxing Day	06:30 - 01:00	
			New Year's Eve	06:30 - 01:00	

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	10:00	00:00	Please give further details here (please read guidance note 4) Occasional dance performances by local groups on themed event nights		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	10:00	00:00			
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6) New Year's Eve 10:00 - 00:30		
Sat	10:00	00:00			
Sun	10:00	00:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	00:00	Please give further details here (please read guidance note 4)		
Wed	10:00	00:00			
Thur	10:00	00:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	10:00	00:00			
Sat	10:00	00:00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	10:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	X
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	01:00			
Sat	10:00	01:00			
			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 (please read guidance note 6)		
			Christmas Eve	10:00 - 01:00	
			Boxing Day	10:00 - 01:00	
			New Year's Eve	10:00 - 01:00	
Sun	10:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Steven Shipp	
Date of birth	13 December 1990
Address Waterside Lodge Lynn Road Littleport Cambridgeshire CB7 4TD	
Postcode	CB7 4TD
Personal licence number (if known) Not yet issued	
Issuing licensing authority (if known) ECDC	

K

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 9).

Charity casino / race nights

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) To provide breakfast for customers with themed background music only	
Day	Start	Finish		
Mon	06:30	00:30		
Tue	06:30	00:30		
Wed	06:30	00:30		
Thur	06:30	00:30		
Fri	06:30	01:30		
Sat	06:30	01:30		
Sun	06:30	00:30		

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 (please read guidance note 6)		
Christmas Eve	06:30	01:30
Boxing Day	06:30	01:30
New Year's Eve	06:30	01:30

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

See attached list

b) The prevention of crime and disorder

See attached list

c) Public safety

See attached list

d) The prevention of public nuisance

See attached list

e) The protection of children from harm

See attached list

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. x
- I have enclosed the plan of the premises. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. x
- I understand that I must now advertise my application. x
- I understand that if I do not comply with the above requirements my application will be rejected. x
- x
[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>Steven Shipp</i>
Date	05/08/2020
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Steven Shipp			
Waterside Lodge			
Lynn Road			
Littleport			
Cambridgeshire			
CB7 4TD			
Post town	Ely	Postcode	CB7 4TD
Telephone number (if any)		07557307240	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
steve_witchford@aol.co.uk			

KITCHEN

STAFF
TOILET

LADIES
TOILET

MEN
TOILET

BAR

STEP

STEP

DISUSED
STAIRWELL

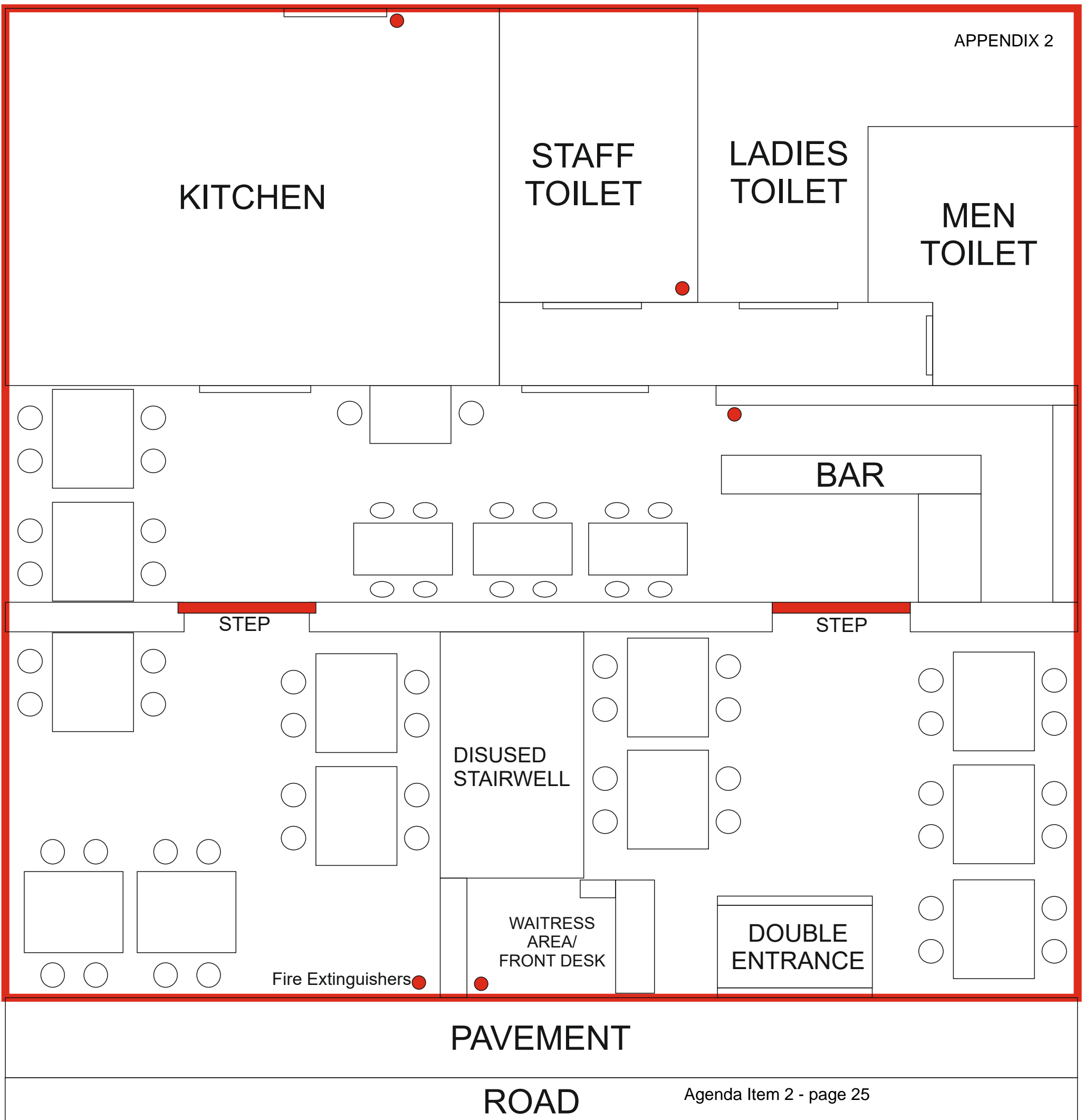
WAITRESS
AREA/
FRONT DESK

DOUBLE
ENTRANCE

Fire Extinguishers

PAVEMENT

ROAD



Operating Schedule Conditions

1. A video/CCTV system displaying the correct time and date of the recording shall be in operation with sufficient cameras to monitor all internal and external areas where licensable activities take place and be capable of producing immediate copies on site either recorded digitally on to CD/DVD or other equivalent medium. A person competent in producing visual recordings to the police or an authorised officer on demand to be present on the premises at all times.
2. All recording to be retained and stored in a suitable and secure manner for a minimum of 28 days and be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
3. CCTV monitoring and recording equipment (including any mobile units in use at the premises) to be maintained at all times in a working condition.
4. All staff/individuals engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales with training records available for inspection by the police or other authorised officer on request.
 - induction training which must be completed and documented prior to the sale of alcohol by the staff member.
 - refresher/reinforcement training at intervals of no more than 6 months.
5. The designated premises supervisor shall authorise in writing the names of the staff members/individuals suitably trained to be responsible for the sale of alcohol at the premises in his/her absence.
6. A zero tolerance drug policy to be implemented at the premises and appropriate drug awareness staff training shall take place with training records maintained and made available on request to the Police or an Authorised Officer.
7. When internal events involving regulated entertainment are to occur the event details and a contact number to be advertised at least seven days before the event either outside the venue and/or on the website, where concerns and suggestions can be raised before, during or after the proposed event. A written record of such calls and actions taken to be maintained.
8. Noise or vibration from licensable activities must not emanate from the premises so as to cause a nuisance at nearby properties.
9. Aural monitoring of noise levels to take place outside the premises at least once during events involving regulated entertainment and appropriate measures to be taken to ensure compliance with condition 8 above. A written record of these monitoring inspections to be maintained to include the name of the person who conducted the monitoring, the date and time of the monitoring and the outcome of the monitoring.
10. Internal live or amplified recorded music as part of an event to cease at midnight on any night except for New Year's Eve when it shall be permitted until 00:30 hours. Music played after this time shall be limited to background recorded music only on any night and this background music shall not be audible outside the building when the buildings windows and doors are closed. For clarification 'internal' refers to anywhere inside the main brick building delineated on the premises plan and shall not include any temporary buildings such as marquees.

11. Except for ingress to and egress from the premises, all doors and windows to remain closed during events involving regulated entertainment.
12. The placing of refuse and empty bottles into outside receptacles shall not take place during the night-time hours between 21:00 and 07:00 to minimise disturbance to nearby properties.
13. Clear and legible notices to be prominently displayed at all premises exits to request patrons to respect the needs of local residents and to leave the premises and surrounding area quietly.
14. Clear and legible notices to be prominently displayed in the external smoking area to request patrons to respect the needs of local residents and to use the smoking facility in a quiet and responsible manner.
15. When entertainment of an adult nature is taking place on the premises, no person under 18 years of age to be allowed entry to that part of the premises where the adult entertainment is taking place.
16. The premises licence holder shall ensure that an age verification policy will apply to the premises whereby all bar staff will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.
17. An incident book to record the refusal of alcohol sales and/or ejections from the premises to be maintained on the premises and this book to be made available on request to the police or an authorised officer
18. Photographic identification to be produced by the customer where proof of age is required before alcohol is supplied. This procedure to be relayed to customers when taking telephone orders of alcohol and customers to be advised at the time of placing their order that the delivery driver reserves the right to refuse delivery of alcohol to them.

From:Karen See
Sent:27 Aug 2020 16:18:01 +0100
To:Licensing
Subject:Inferno BBQ Broad Street Ely

To the licensing authority,

Having reviewed the wording of the application for Inferno BBQ, Broad Street, Ely, concerns have been identified regarding the late night refreshment licensable activity indicated in section I of the application form, and the potential impacts that this could have on the prevention of public nuisance objective. The premises is located in a largely residential area with a public garden almost directly opposite, and the application as completed requests the sale of food and delivery of food from 11pm until 1:30am for consumption on and off the premises, without any indications in the operating schedule of how the applicant is going to control the potential implications of this activity.

We have concerns that without safeguards (conditions) the request could see persons walking into the premises until very late into the night time hours to collect take-away food to consume off the premises. It could see queues forming on the street as there is no internal area to accommodate those waiting. It could see delivery vehicles coming and going through the night with the inevitable disturbances and nuisance that this would cause. It could also see an increase in anti-social behaviour in the Jubilee Gardens area if food and alcohol that can be consumed off the premises is readily available until the early hours from this business.

For the above reasons we feel that we have no choice but to submit an official representation objecting to the grant of the application.

Whilst we have these concerns if the application was to be granted as applied for, we feel that if the following conditions were to be included on any granted licence, we would offer no further objection.

- 1) The licence holder shall ensure that, the sale of food and drink above ambient room temperature (late night refreshment) beyond 11pm, is only consumed by persons sitting at a table on the premises, or delivered to their customer's home or place of work.
- 2) The licence holder shall ensure that no vehicles used for the delivery of their food shall attend the premises, or park on Broad Street, Jubilee Terrace, Missin Gate, and Ship Lane after 11pm.
- 3) The licence holder shall ensure that no new customers enter the premises after 12:30am.

Kind regards

Karen See

Senior Environmental Health Officer (P/T) Alternate Weds, Thurs and Fridays.

East Cambridgeshire District Council, The Grange, Nutholt Lane, Ely, Cambs CB7 4EE

Tel: 01353 665555 (Main Switchboard)

[Advice For Reopening](#)

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We would welcome your feedback so we can improve our service. Please complete the quick 4 question survey below:- <https://www.surveymonkey.co.uk/r/DPBDX3H>

DATA PROTECTION

Paul Fuggle

①

Additional Sheets for Licensing Act 2003 Representation Form for Other Persons Relating to Inferno BBQ Ltd, 78 Broad Street, Ely, Cambs, CB7 4BE

The Prevention of Public Nuisance

Overview

Broad Street is primarily a residential street including several homes with young children. The vast majority of properties have windows and doors that directly adjoin the pavement.

We have experienced anti-social and drunken behaviour along the street as members of the public return from, or travel to, the train station late at night. This behaviour has included banging on property windows, walking on the bonnets and roofs of parked cars, standing and talking in front of properties (especially in doorways of older properties that used to be shops), and raised voices.

Fortunately, this behaviour is infrequent enough to be tolerable.

My general concern is that late night opening to the public beyond 23:30 will increase the amount of people, traffic, noise and anti-social behaviour on Broad Street after midnight as people arrive at and depart from the restaurant.

In addition, late night opening beyond 23:30 could mean the restaurant becomes a destination for people after most of the pubs in the area close at 23:00.

Evidence of the accumulation of members of the public late at night to order hot food can be seen at the Balti King on Market Street. However, Balti King is located in a primarily commercial area of the city.

I have fewer concerns with the premises being used for a late-night delivery service if the following condition suggested by Environmental Health is accepted: "The licence holder shall ensure no vehicles used for the delivery of their food shall attend the premises, or park on Broad Street, Jubilee Terrace, Missin Gate, and Ship Lane after 23:00"

Specific Concerns in Relation to the Premises Opening to the Public After 23:30

Late Night Destination – opening to the public beyond 23:30 will increase the amount of people entering and leaving the restaurant late at night and have the potential for the premises to become a late-night destination after pubs in the area have closed.

Smokers – patrons are likely to accumulate and talk on the street at the front of the restaurant. Patrons who have consumed alcohol have a tendency to converse in raised voices.

Car Parking – parking is likely to be in parking bays on Broad Street in front of residential housing, surrounding residential streets and Ship Lane car park. Patrons departing late at night will increase the amount of car doors closing and engines starting after midnight.

Traffic - the amount of traffic along Broad Street after midnight is likely to increase, including taxi pickups from outside the restaurant and delivery vehicles for the takeaway service. Page 2 of 3

CCTV – the CCTV system at the restaurant will only monitor the area near the premises. It will not provide any coverage of incidents that occur on the way to Ship Lane car park or in the other direction. As such it is unlikely to deter anti-social behaviour away from the immediate vicinity of the premises.

Suggested Conditions

Having read the licence application and taking into account the location of 78 Broad Street, my suggested licensing hours would be as follows:

Films

Monday – Thursday & Sunday: 10:00 – 23:00

Friday – Saturday: 10:00 – 23:30

New Year's Eve: 10:00 – 00:30

Live Music

Monday – Thursday & Sunday: 10:00 – 23:00

Friday – Saturday: 10:00 – 23:30

New Year's Eve: 10:00 – 00:30

Recorded Music

Monday – Thursday & Sunday: 06:30 – 23:30

Friday – Saturday: 06:30 – 00:00

Christmas Eve: 06:30 – 01:00

Boxing Day: 06:30 – 01:00

New Year's Eve: 06:30 – 01:00

Performance of Dance

Monday – Thursday & Sunday: 10:00 – 23:00

Friday – Saturday: 10:00 – 23:30

New Year's Eve: 10:00 – 00:30

Anything of a Similar Description

Monday – Thursday & Sunday: 10:00 – 23:00

Friday – Saturday: 10:00 – 23:30

New Year's Eve: 10:00 – 00:30

Late Night Refreshment (on premises)

Monday – Thursday & Sunday: 23:00 – 23:30

Friday – Saturday: 23:00 – 00:00

Christmas Eve: 23:00 – 01:00

Boxing Day: 23:00 – 01:00

New Year's Eve: 23:00 – 01:00

Late Night Refreshment (for delivery)

Monday – Thursday & Sunday: 23:00 – 00:30

Friday – Saturday: 23:00 – 01:30

Christmas Eve: 23:00 – 01:30

Boxing Day: 23:00 – 01:30

New Year's Eve: 23:00 – 01:30

Supply of Alcohol (on premises)

Monday – Thursday & Sunday: 10:00 – 23:00

Friday – Saturday: 10:00 – 23:30

Christmas Eve: 10:00 – 01:00

Boxing Day: 10:00 – 01:00

New Year's Eve: 10:00 – 01:00

Supply of Alcohol (for delivery)

Monday – Thursday & Sunday: 10:00 – 00:30

Friday – Saturday: 10:00 – 01:30

Christmas Eve: 10:00 – 01:30

Boxing Day: 10:00 – 01:30

New Year's Eve: 23:00 – 01:30

Hours Premises Are Open to the Public

Monday – Thursday & Sunday: 06:30 – 23:30, with last entry at 23:00

Friday – Saturday: 06:30 – 00:00, with last entry at 23:30

Christmas Eve: 06:30 – 01:00, with last entry at 00:30

Boxing Day: 06:30 – 01:00, with last entry at 00:30

New Year's Eve: 06:30 – 01:00, with last entry at 00:30

Hours Premises Are Open for Preparation of Food for Deliveries

Monday – Thursday & Sunday: 06:30 – 00:30

Friday – Saturday: 06:30 – 01:30

Christmas Eve: 06:30 – 01:30

Boxing Day: 06:30 – 01:30

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②

Additional Sheets for Licensing Act 2003 Representation Form for Other Persons Relating to Inferno BBQ Ltd, 78 Broad Street, Ely, Cambs, CB7 4BE

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Traffic - the amount of traffic along Broad Street after midnight is likely to increase, including taxi pickups from outside the restaurant and delivery vehicles for the takeaway service. Page 2 of 3

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Friday – Saturday: 10:00 – 23:30

New Year's Eve: 10:00 – 00:30

Live Music

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Recorded Music

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Boxing Day: 06:30 – 01:00

New Year's Eve: 06:30 – 01:00

Performance of Dance

Monday – Thursday & Sunday: 10:00 – 23:00

Friday – Saturday: 10:00 – 23:30

New Year's Eve: 10:00 – 00:30

Anything of a Similar Description

Monday – Thursday & Sunday: 10:00 – 23:00

Friday – Saturday: 10:00 – 23:30

New Year's Eve: 10:00 – 00:30

Late Night Refreshment (on premises)

Monday – Thursday & Sunday: 23:00 – 23:30

Friday – Saturday: 23:00 – 00:00

Christmas Eve: 23:00 – 01:00

Boxing Day: 23:00 – 01:00

New Year's Eve: 23:00 – 01:00

Late Night Refreshment (for delivery)

Monday – Thursday & Sunday: 23:00 – 00:30

Friday – Saturday: 23:00 – 01:30

Christmas Eve: 23:00 – 01:30

Boxing Day: 23:00 – 01:30

New Year's Eve: 23:00 – 01:30 Page 3 of 3

Supply of Alcohol (on premises)

Monday – Thursday & Sunday: 10:00 – 23:00

Friday – Saturday: 10:00 – 23:30

Christmas Eve: 10:00 – 01:00

Boxing Day: 10:00 – 01:00

New Year's Eve: 10:00 – 01:00

Supply of Alcohol (for delivery)

Monday – Thursday & Sunday: 10:00 – 00:30

Friday – Saturday: 10:00 – 01:30

Christmas Eve: 10:00 – 01:30

Boxing Day: 10:00 – 01:30

New Year's Eve: 23:00 – 01:30

Hours Premises Are Open to the Public

Monday – Thursday & Sunday: 06:30 – 23:30, with last entry at 23:00

Friday – Saturday: 06:30 – 00:00, with last entry at 23:30

Christmas Eve: 06:30 – 01:00, with last entry at 00:30

Boxing Day: 06:30 – 01:00, with last entry at 00:30

New Year's Eve: 06:30 – 01:00, with last entry at 00:30

Hours Premises Are Open for Preparation of Food for Deliveries

Monday – Thursday & Sunday: 06:30 – 00:30

Friday – Saturday: 06:30 – 01:30

Christmas Eve: 06:30 – 01:30

Boxing Day: 06:30 – 01:30

New Year's Eve: 06:30 – 01:30

3

EAST CAMBRIDGESHIRE
No chy
- 2 SEP 2020 DMS
DISTRICT COUNCIL



**THE LICENSING ACT 2003
REPRESENTATION FORM FOR OTHER PERSONS**

An 'other person' is any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates regardless of the geographic proximity to the premises.

Full name	SUSAN C. WRIGLESWORTH
Title	MRS
Postal address (inc post code)	
Contact telephone number	
Mobile telephone number	
Email address	

Name of premises you are making a representation about	INFERNO BBQ
Address of the premises you are making a representation about	78, BROAD STREET ELY, Cambridgeshire CB7 4BE

This section is about your representation which must relate to one or more of the Licensing Objectives.
Please detail the evidence supporting your representation under the relevant headings, the reason for raising the representation and include all matters you wish to be considered (use additional sheets if necessary).
When considering representations the Licensing Authority may take into account documentary evidence or other information produced by 'other persons' either before the hearing or, with the consent of all parties, at the hearing.

Which licensing objective(s) does your representation relate to?	Detail the evidence supporting your representation, or the reason(s) for your representation (use additional sheets if necessary)
Licensing Act 2003 The prevention of crime and disorder	Public safety
Likely increase of crime & disorder when under the influence of alcohol.	The premises is on a busy street next to a pedestrian crossing so there is no possibility of a crowded pavement forcing pedestrians to walk in the road. Taxis will be unable to stop safely to collect passengers. Possibly some illegal parking, common in Ely!

(4)

EAST CAMBRIDGESHIRE

- 3 SEP 2020 DMS

DISTRICT COUNCIL

31st August 2020

Environmental Services Licensing Section

The Grange, Nuttall Lane

Ely CB7 4EK

Dear Sir/Madam

Re. Licensing application for 78 Broad Street, Ely, CB7 4BE (INFERNO BBQ)

I am writing a letter as despite visiting the Council website, I am unable to download a form.

I wish to object to the application, for the above premises, to provide films, live music, performance of dance & entertainment of a similar description.

My reasons for objection are as follows:-

- a. This is a residential area & the hours of music & sale of alcohol would be too long.
- b. The customers would probably overspill into Jubilee Gardens as the premises are not very large. There was a horrendous misuse of the gardens recently, leading to parts of the gardens unable to be used.
- c. The application seems effectively for a nightclub.
- d. Social distancing would be extremely difficult to control.

I trust that the above points will be considered when a decision is made.

Yours faithfully,

Mrs. Jill Clark

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**THE LICENSING ACT 2003
REPRESENTATION FORM FOR OTHER PERSONS**

An 'other person' is any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates regardless of the geographic proximity to the premises.

Full name	JESSICA AMY SIRISENA	
Title	MRS	
Postal address (inc post code)		
Contact telephone number		
Mobile telephone number		
Email address		
Name of premises you are making a representation about	INFERNO BBQ	EAST CAMBRIDGESHIRE NO CHAIR - 1 SEP 2020 DMS
Address of the premises you are making a representation about	78 BROAD STREET ELY, CAMBS. CB7 4BE	DISTRICT COUNCIL

This section is about your representation which must relate to one or more of the Licensing Objectives.
Please detail the evidence supporting your representation under the relevant headings, the reason for raising the representation and include all matters you wish to be considered (use additional sheets if necessary).

When considering representations the Licensing Authority may take into account documentary evidence or other information produced by 'other persons' either before the hearing or, with the consent of all parties, at the hearing.

Which licensing objective(s) does your representation relate to?	Detail the evidence supporting your representation, or the reason(s) for your representation (use additional sheets if necessary)
The prevention of crime and disorder OUR EXPERIENCE OF DRUNK YOUNG PEOPLE IN JUBILEE GARDENS DURING LOCKDOWN WAS VERY UNPLEASANT AND THE FREQUENT LITTERING / URINATION / FEAR OF CRIME + DISORDER IS NOT SOMETHING WE CAN CONTEMPLATE HAVING TO PUT UP WITH AGAIN.	Public safety THE SAFETY OF ALL LOCAL RESIDENTS, LIVING SO CLOSE TO THE PREMISES, WILL INEVITABLY BE COMPROMISED IF A LICENSE FOR LATE NIGHT DRINKING IS GRANTED, AS DISORDERLY BEHAVIOUR IN OUR IMMEDIATE NEIGHBOURHOOD IS GUARANTEED.

6



THE LICENSING ACT 2003 REPRESENTATION FORM FOR OTHER PERSONS

An 'other person' is any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates regardless of the geographic proximity to the premises.

Full name	Elinor & Curtis Switzer	
Title	Mrs & Mr	
Postal address (inc post code)		
Contact telephone number		
Mobile telephone number		
Email address		

EAST CAMBRIDGESHIRE
No Cheery
 - 1 SEP 2020 DMS
 DISTRICT COUNCIL

Name of premises you are making a representation about	Inferno BBQ
Address of the premises you are making a representation about	78 Broad Street, Ely, CB7 4BE

This section is about your representation which must relate to one or more of the Licensing Objectives.
 Please detail the evidence supporting your representation under the relevant headings, the reason for raising the representation and include all matters you wish to be considered (use additional sheets if necessary).
 When considering representations the Licensing Authority may take into account documentary evidence or other information produced by 'other persons' either before the hearing or, with the consent of all parties, at the hearing.

Which licensing objective(s) does your representation relate to?	Detail the evidence supporting your representation, or the reason(s) for your representation (use additional sheets if necessary)
The prevention of crime and disorder - we have concerns around crime given the long and late licenses of 1.30am on the premises and inebriated people around residential homes throughout the day and into the early hours. Jubilee Gardens backs onto our home where a number of people will be walking back home after leaving the premises.	Public safety - due to the location of the property right next to the road, there is not enough pavement space for queues outside the premises. We are also worried around the number and type of people the establishment could attract.

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**THE LICENSING ACT 2003
REPRESENTATION FORM FOR OTHER PERSONS**

An 'other person' is any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates regardless of the geographic proximity to the premises.

Full name	Sinead Keller
Title	Mrs
Postal address (inc post code)	
Contact telephone number	
Mobile telephone number	
Email address	

Name of premises you are making a representation about	Inferno BBQ
Address of the premises you are making a representation about	78 Broad Street, Ely, Cambridgeshire. CB7 4BE

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Please detail the evidence supporting your representation under the relevant headings, the reason for raising the representation and include all matters you wish to be considered (use additional sheets if necessary).
When considering representations the Licensing Authority may take into account documentary evidence or other information produced by 'other persons' either before the hearing or, with the consent of all parties, at the hearing.

Which licensing objective(s) does your representation relate to?	Detail the evidence supporting your representation, or the reason(s) for your representation (use additional sheets if necessary)
The prevention of crime and disorder This will encourage groups of people to congregate late at night whilst consuming alcohol which risks anti-social behaviour in a quiet residential area. There is already considerable footfall in Jubilee Gardens and Broad Street late in the evenings in particular at the weekends and this would take it beyond acceptable levels of noise. Combined with people gathering outside Riverbank Bar and Kitchen it increases the risk of crime and disorder.	Public safety

<p>The prevention of public nuisance If this application is granted it will cause excess noise for residents in the surrounding streets later than is acceptable. People will congregate in the street causing noise and increasing the likelihood of littering. There are lots of elderly and young families in the area so this does not feel appropriate.Th</p>	<p>The protection of children from harm</p>
<p>Suggested conditions that could be added to assist the Licensing Authority in determining this application, or other suggestions you would like the Licensing Authority to take into account (use additional sheets if necessary)</p>	

If the Licensing Authority considers that relevant representations have been raised, a mediation meeting between the relevant parties (if all agree) may be arranged to try to reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub-Committee will be arranged unless all representations are withdrawn.

All representations in their entirety will be disclosed to the applicant for a premises licence or club premises certificate.

Signed Date 01/09/2020

Please print designation

Please return this form along with any additional sheets to:

Licensing Team
 Environmental Services
 East Cambridgeshire District Council
 The Grange
 Nutholt Lane
 Ely
 CB7 4EE

Telephone: 01353 665555

Email: licensing@eastcambs.gov.uk

This form must be returned within the statutory period, which is 28 days from the day after the day on which the applicant served the application on the Licensing Authority.

Due to tight timescales involved and to assist the determination of the application process any representations should be forwarded to the Licensing Authority as soon as possible and preferably within 14 days of notification of the application.

If in any doubt, please contact the Licensing Team as above.

From: Gardner Ely
Sent: 02 September 2020 23:26
To: Licensing
Subject: [EXTERNAL] Objections to licence for Inferno restaurant in Broad Street,Ely
Categories: Lin

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is

To whom it may concern,

Sorry, I have spent over an hour trying to access some sort of form to make representations of my concerns against the granting of some of the requests on the above license. This has been impossible from your website. Please could you record my comments or send me the link to this form. I understand the representations had to be in by midnight tonight.

These premises are surrounded by a lot of residential properties. I am concerned about the amount of noise and potential unsociable behaviour that would occur as a result of these late night openings. I am at number 23 Broad Street and when we moved here in 1989 there were a number of problems with smashed windows and fights when the previous restaurant on this site opened late and had an alcohol license. People leaving the riverside pubs would go there for more alcohol and cause a lot of disruption. The premises are quite small with hardly any outside space. The request for live music, dancing and other outside events are not practical here. The two large bins now permanently blocking part of the pavement are going to be unattractive and smelly.

None of the other restaurants in Broad Street have alcohol licenses or such late openings so they have not been of concern to residents.

Yours faithfully,
E Gardner.

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Stewart Broome

From: Licensing <Licensing@eastcambs.gov.uk>
Sent: 02 September 2020 15:42
To: Lin Bagwell
Subject: FW: [EXTERNAL] Re. Objection/Representation regarding Premises License for Inferno BBQ (78 Broad St, Ely, CB7 4BE)

From: David Monk []
Sent: 02 September 2020 15:02
To: Licensing <Licensing@eastcambs.gov.uk>
Subject: [EXTERNAL] Re. Objection/Representation regarding Premises License for Inferno BBQ (78 Broad St, Ely, CB7 4BE)

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is David Monk <

Good afternoon,

Re: Objection/Representation regarding Premises License for Inferno BBQ (78 Broad St, Ely, CB7 4BE)

After reading the Licensing Act 2003 notice on the frontage of Inferno BBQ in Ely (CB7 4BE), I note that they did on 5th August 2020 apply to ECDC for the grant of a premises license, under very concerning terms, i.e.

The provision of films, live music, performance and entertainment between the hours of 10:00 and 00:00 and 10:00 and 00:30

&
Recorded music between the hours of 06:30 and 00:00 and 06:30 and 01:00

&
Provision of late night refreshment between the hours of 23:00 and 00:30 and 23:00 and 01:30

&
Sale by retail of Alcohol between the hours of 10:00 and 00:00 and 10:00 and 01:00

Inferno BBQ is located in the middle of Broad Street; being a highly residential location, and opposite the beautiful Jubilee Gardens and backing on to Cherry Hill park and children's playground. The hours applied for of live music, recorded music, late night refreshment and sale of alcohol are deeply concerning to me as a local resident with young children. I firmly object to licensing hours beyond before 11:00am and after 11:00pm, as it is inevitable that it will result in loud noise and disturbance, and unsightly litter on Jubilee Gardens and Cherry Hill park (as proven post-lockdown by the clientele of RBK in the Maltings). I would ask that the licensing powers refuse the application of these excessive licensing hours. It would create a great deal of noise disturbance to local residents, and no double antisocial behaviour due to the proposed lengthy alcohol licensing hours applied for by Inferno BBQ.

Thank you for considering this.

Yours Sincerely,
David Monk

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THE LICENSING ACT 2003
REPRESENTATION FORM FOR OTHER PERSONS

An 'other person' is any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates regardless of the geographic proximity to the premises.

Full name	Jacqueline Hill
Title	MRS.
Postal address (inc post code)	
Contact telephone number	
Mobile telephone number	
Email address	

EAST CAMBRIDGESHIRE
 No charge
 - 1 SEP 2020 DMS
 DISTRICT COUNCIL

Name of premises you are making a representation about	Inferno BBQ Ltd.
Address of the premises you are making a representation about	78, Broad Street, Ely CB7 4BE

This section is about your representation which must relate to one or more of the Licensing Objectives.
 Please detail the evidence supporting your representation under the relevant headings, the reason for raising the representation and include all matters you wish to be considered (use additional sheets if necessary).
 When considering representations the Licensing Authority may take into account documentary evidence or other information produced by 'other persons' either before the hearing or, with the consent of all parties, at the hearing.

Which licensing objective(s) does your representation relate to?	Detail the evidence supporting your representation, or the reason(s) for your representation (use additional sheets if necessary)
The prevention of crime and disorder	Public safety

This whole riverside area including Jubilee Gardens is still experiencing problems from R&B. Loud music/overcrowding during evenings has recently been reported again. Also live bands at the Cutter. Another alcohol/loud music venue would be a disaster in a residential area.

Inferno BBQ would be directly opposite J. Gardens. These gardens are still partly fenced off to prevent use as a toilet. It has also been used in the recent past for the sale/collection of drugs.

Stewart Broome



From:
Sent: 01 September 2020 18:43
To: Licensing
Subject: [EXTERNAL] Objection to Inferno BBQ

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is

Dear Sir,

As a member of the Friends of Jubilee Gardens I am objecting to the proposed grant of a premises licence for Inferno BBQ 78 Broad Street Ely Cambs CB7 4BE.

The provision for films, live music, performance of dance and entertainment of a similar description at the said premises is totally unsuitable at this location with this being a residential area. With the long and unsociable hours, late night opening hours this is likely to encourage unsociable behaviour which will spill over into nearby Jubilee Gardens when the venue closes its doors at midnight.

The Maltings complex nearby provides entertainment of a similar and varied nature to the proposed venue, so do we really need another establishment offering similar provision.

I note that the company of Inferno BBQ was only registered on 5 June 2020.

Virginia Divall

Sent from [Mail](#) for Windows 10

From: Valerie Roberts ·
Sent: 31 August 2020 11:00
To: Licensing
Subject: [EXTERNAL] Licensing, Inferno BBQ, 78 Broad Street, Ely, Cambs CB7 4BE.

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is Valerie Roberts ·

Dear Sir/ Madam,

I am a 'Friends of Jubilee Gardens' Committee member.

I am writing about the licensing application for Inferno BBQ at 78 Broad Street, Ely.

I do not consider the position of this property suitable for this application bearing in mind the residential properties and totally dissimilar business properties in the area.

It is totally out of character with the nature of the adjoining tourist and park areas, which are relaxed and restful.

There is no parking that will suit this potential business.

In addition I fail to understand why the licensing and music business hours are so extensive.

With regard to Jubilee Gardens I am very concerned with a possible detrimental effect on the Gardens.

This very popular family area is at odds with the music and extensive licensing hours which are under consideration.

Cherry Hill Park, again a very popular visitor and local area, will be affected in exactly the same way.

Specific concerns are noise, litter and even possible parking in the Jubilee Gardens.

There may also be a reluctance for families and tourists to visit in the vicinity of a business of this nature.

While I do understand that businesses of value to tourists and locals should be welcomed in Ely I do not consider that this falls within this category.

Yours faithfully,
Valerie J. Roberts.

Reference 20/00389/LIQ_02
New Premises Licence
Inferno BBQ Ltd.
78 Broad Street Ely CB74BE

From Mrs. G.M. Warren

Member of the public

Objections: parking, noise, change of use not suitable for the neighbourhood. I am a joint owner of a property nearby to 78 Broad Street. Previous businesses at the site have been quiet and fit in with the mixed business and mainly residential neighbourhood. If the applicant uses the licence permits for entertainment and alcohol being sold late at weekends and bank holidays it will cause considerable disturbance to the whole of the Broad St. area surrounding it. and possibly antisocial behaviour on turning out at closing time. Adjoining properties would need to be protected from this by adequate soundproofing to walls, windows and doors.

The change of use from quiet restaurant to what could become a small nightclub is not acceptable in a mainly residential area and should be turned down for the new licence.

Mrs. G.M. Warren



Inferno BBQ Ltd, 78 Broad Street, Ely, Cambs, CB7 4BE

Concerns re Licensing application for late night opening, entertainment and alcohol sales.

Looking at the application I have a few queries regarding the licensing of the premises.

Broad Street is primarily a residential area which includes many families with young children. Most properties face onto the street and therefore serious consideration need to be taken into account the opening hours of the new restaurant.

Unfortunately Broad Street can be and has been a target of drunken and antisocial behaviour. It is a throughway to the train station and also can suffer some spill-over from late night openings from the riverside bars. It has resulted in windows of residential properties being damaged and smashed in the past as well as vehicle damage.

The major concerns therefore with the current proposed opening hours is that this may:

I] **Increased anti-social and drunken behaviour** along Broad Street – especially with a proposed late night alcohol license. This may/will result in spill over from town pubs closing with customers looking for a place to purchase alcohol after normal closing hours. At the moment we have a proposed opening time of beyond 23.30 each night for takeaway food and drink. This is giving potential for the venue to become a **late night 'hot spot'** of people wishing to consume late at night..

II] **Increased traffic and noise** from customers arriving and departing. Please note the parking along Broad Street is limited to bays and is primarily used by residents. In addition taxis etc being used will create additional noise and traffic issues. I would like to know how the restaurant will promote sensible parking by its patrons. As previously stated this is a residential street with many young children in residence.

Opening hours primary concern

The vendor is proposing to open the premises from 06.30 until 00.30 Mon to Thur and 06.30 until 01.30 Fri, Sat and Sun. No other takeaway/food business in Broad Street operates at these hours. The venue in question is promoting itself as a restaurant and takeaway service. Opening hours to the public such as these are more in line with nightclub hours which would be totally unacceptable in a residential area. I would question the nature of the proposed business to wish to open at such extended hours. It would be suggested that the venue operate within more reasonable closing hours in line with other business along the street. For example 23.30.

Opening hours re performances/film and music events

It is understandable that special events would result in slightly later opening hours. A limit on these events should be considered as already stated the business is advertising itself as a restaurant and takeaway service and not a music or live entertainment venue.

Alcohol sales

The sale of alcohol it is presumed that is for consumption either on premises or as part of a delivery service. It would be unwise to allow the sale of alcohol as a takeaway late night service as this could promote the main concerns outlined above. It is stated that the premises will offer hot food and drink as a takeaway service after the hours of 23.00. Does this include the sale of take away alcohol until 00.30 Mon to Thur and 01.30 Fri and Sat and Sun 00.30.

Litter and crime

Is there a policy in place for the collection of litter created by the venue in nearby residential streets. Also how far an area does the proposed CCTV cover in order to provide reassurance to neighbouring families that the venue is operating as a responsible neighbour.

Note

It is always uplifting to see a new business open and hopefully thrive in Ely. However the points raised are of concern as to the nature of the business and the appropriateness of the location in regards to the services being offered. On the whole Broad Street is a primarily residential area. The majority of businesses do not operate on a late night license and therefore it is questioned whether this is the correct location to be able to do so.

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Stewart Broome

From: Anthea Maybury <
Sent: 31 August 2020 17:05
To: Licensing; Anthea Maybury
Subject: [EXTERNAL] "Inferno" on Broad Street.

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is Anthea Maybury

This has reached my attention late so I hope emailing direct will be admissible.
There is a lack of facilities for younger people in Ely, but the proposal as shown does not seem at all suitable. It will create a lot of noise after the supposed closing times, Jubilee Gardens will be invaded and rather likely vandalised and littered, and the Riverside area will be a focus for crowds from all over nearby Fenland looking for nightlife. We now have the new sports and entertainment centre across the ring road, a hub for music film eating and drinking which could do with improved access from town centre and cause minimal disturbance in Ely itself. If this is not being successful enough, then I don't see the Riverside area as an answer.

Anthea Maybury

--
Please only use this email address: all others will be deleted shortly.

16

Dr John Crawford
Chairperson, Friends of Jubilee Gardens#

Dear Licensing Team,

Licensing Application: Inferno American BBQ, 78 Broad Street, Ely CB7 4BE

I write both as a nearby resident and as Chairperson of the Friends of Jubilee Gardens with regard to the licensing application for the above premises.

First I would like to say that it is disappointing that local residents were not notified with regard to this.

The premises has long been a restaurant licensed to sell alcoholic beverages to customers and the opening hours have always been reasonable and diners caused little disturbance. However the new proprietor wishes to be licensed to provide live music and entertainment from 10.00 to 00.00 or later every day. Additionally he wishes to play recorded music from 06.30 to 00.00 (01.00 Friday and Saturday). He also wants to sell alcohol from 10.00 to 00.00 (01.00 Friday and Saturday). On top of all this the proprietor wishes to serve "late night refreshment" from 23.00 to 00.30 (01.30 Fridays and Saturday).

Furthermore it appears that the application is for both indoors and outdoors and may involve casino and racing nights.

As a nearby resident I strongly object to this on the grounds that such a centre of entertainment and drinking is highly unsuitable in this residential area of the city. The plan as suggested is likely to cause unacceptable noise nuisance at unsocial times and is likely to give rise to drunkenness and intimidation to the clear detriment of residents.

In addition there is already a parking issue on Broad Street due to this business. There is persistent parking on the pavements outside the premises causing dangerous obstruction and nuisance. This seems to go completely unchecked by the council.

As the Chairperson of the Friends of Jubilee Gardens and as a local resident I am very concerned that customers availing themselves of "late night refreshments" and the like will spill into Jubilee Gardens causing unnecessary nuisance to residents of Broad Street, Missin Gate, Ship Lane and Jubilee Terrace bordering the gardens. The premises in question has no viable outdoor area attached. We have seen during the last few months a huge increase in drunkenness and rowdiness in the gardens. There has been vandalism to the children's play park and to shrubs and trees. There have been a number of drug dealers plying their trade with impunity. The gardens have been used by hundreds of people as a public toilet leading to areas being sealed off. Residents have been abused when voicing objections to this behaviour. The litter problem in the gardens has increased manifold.

It seems highly likely that late drinking until midnight and beyond will exacerbate an already growing problem and I trust the licensing authority will be very circumspect with regard to the potential problems these proposals may cause.

Yours sincerely
Dr John Crawford

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Stewart Broome

From: Hilary Kirby
Sent: 31 August 2020 11:14
To: Licensing
Subject: [EXTERNAL] INFERNO BBQ BROAD STREET ELY

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is Hilary Kirby

Hello

I note that the restaurant in Broad Street which proposes to open as Inferno American BBQ has requested a license for live music from 06.30 until 01.00. This seems rather excessive for a restaurant. Is there a hidden agenda? Is it that this request is for a Night Club?

I would oppose a Night Club on the grounds that this area is principally a residential one and that should a Night Club open in Broad street there is likely to be excessive noise between the car parks and the venue. I would also be concerned for the preservation of the lovely Jubilee gardens (opposite the restaurant) which might be damaged by revellers. The Jubilee Gardens is enjoyed by lots of families and is an asset to the riverside area and Ely

Please keep me informed of the progress and outcome of this application.

Kind regards

Hilary Kirby

From: Patricia <[REDACTED]>
Sent: 30 August 2020 17:22
To: Licensing
Cc: Paul Lockyear
Subject: [EXTERNAL] Inferno BBQ, 78 Broad Street, Ely

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is Patricia

Dear Sirs

It appears an application has been made by the above premises for a license and, as they are apparently going to be open from 06.30 – 00.00 and even later at weekends, this is of great concern to the local residents and wider location.

There are many reasons for concern, not least the TOTAL lack of parking facility in the area, the venue is in the midst of a residential area so noise will be invasive, I understand both recorded and live music is on the agenda, late night revellers leaving in the early hours will create more noise and disruption which is already a problem when The Maltings has a late event. There are traffic lights immediately outside the entrance and the road narrows at that point.

As a Committee member of the Friends of Jubilee Gardens I also worry that more abuse, antisocial behaviour and vandalism will occur in the Gardens which are immediately opposite the venue. As you may be aware a large part of the Gardens has been closed to the public throughout the summer due to those very same problems. Car parking will be a temptation which could lead to further problems.

I strongly object to the proposal, there are other licensed premises near by which adequately provide these amenities.

Yours faithfully,
Patricia Simmonds

From: Paul Lockyear <
Sent: 30 August 2020 12:19
To: Licensing
Subject: [EXTERNAL] Re: Inferno BBQ 78 Broad Street Ely Cambridgeshire CB7 4BE

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is Paul Lockyear

Hello,

I have just noticed proposal for the above and I would like to raise my objections with you.

My concerns are that the licensing proposals are too wide ranging and licensing times are too long and to grant yet another license sandwiching Jubilee Gardens in between existing licensed premises will be detrimental to their future and therefore for tourists and local families who wish to spend time enjoying the gardens.

Yet another nail in the coffin of the upkeep of Jubilee gardens.

I fear that this would cause problems and disturbance for the nearby area such as,

1) The impact we have seen on Jubilee Gardens over the past few months would continue

Jubilee Gardens has seen poor behaviour, inconsiderate parking, much increased litter, foul behaviour and no respect for the environment and the visitors.

There are already two licensed premises open at the present time at the river end of Jubilee Gardens, another one is not needed.

2) The noise disturbance would be very intrusive for neighbours

3) There will be additional problems caused by litter

4) Parking: there is already a problem with parking on Broad Street near the restaurant. There are always cars parked on the pavement, this makes walking on the pavement difficult, it is a hazard for pushchair and wheel chair users and it causes a danger for Pelican Crossing users. Please see attached photographs of pavement parking already, before the restaurant is open.

5) Above all, the local environment will suffer, Broad Street is an eyesore, this will only make matters worse.

Paul Lockyear





