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Oversight and Governance

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LICENSING SUB COMMITTEE

Monday 9 February 2026

10.00 am

Council House

Members:

Councillors Hendy, Lugger and McNamara.

Fourth Member: Councillor Dingle.

Please see additional information enclosed.

Tracey Lee

Chief Executive

LICENSING SUB COMMITTEE

5. GRANT OF PREMISES LICENCE: MAMA RUMBA:

(Pages 1 - 12)

Responses to Notice of Hearing

Licensing Sub Committee 09 February 2026 – Premises Licence Application
Mama Rumba, 46 Southside Street, The Barbican, Plymouth. PL1 2LD

Applicants Response

Marie Price

From:
Sent: 02 February 2026 11:33
To: Marie Price
Subject: Fwd: Licensing Sub Committee Hearing 09/02/2026 - Mama Rumba - Premises Licence Application

Dear Marie

I wish to make the following points:

- we take very seriously the need to cater for the 4 concerns and, in particular we need to address the proximity of the premises to residential dwellings.
- we intend fully to enclose the existing courtyard, thereby limiting or eliminating noise pollution by the use of sound dampening measures. We have submitted a pre-planning application and the Planning Officer is due to visit the site tomorrow at 2pm (Tuesday)
- The premises will be non-smoking
- The premises is intended, first and foremost, to operate as a licensed restaurant. By opening in the morning, it will be able to provide similar services to those that the former cafe supplied. Its offering will expand at lunch and later.
- In the evening, after cessation of food services, patrons wishing to remain for libations will be required to prove their age.
- We will discourage excessive drinking of alcoholic beverages and SIA-registered door staff will be used to ensure a safe and respectable experience. We will also discourage patrons from assembling outside the premises and behaving boisterously
- We will ensure that the street / pavement area outside the premises is litter -picked and cleaned at close of business every night.
- We are prepared to meet with objectors to hear their issues and to work with them to dispel their concerns.

I hope we will be permitted to attend and present our intentions,

Kind regards

Since the above email the applicant has telephoned and advised that they will be represented at Licensing Sub Committee by their Solicitor – Anthony Dyke.

Appendix F Response

Marie Price

From:
Sent: 30 January 2026 15:27
To: Marie Price
Subject: Re: Licensing Sub Committee Hearing 09/02/2026 - Mama Rumba - Premises Licence Application

Hi Marie,

Just a quick email to confirm my intention to attend on 9th February.

Kind regards,

Appendix G Response

Marie Price

From:
Sent: 27 January 2026 11:10
To: Marie Price;
Cc: Licensing
Subject: RE: Licensing Sub Committee Hearing 09/02/2026 - Mama Rumba - Premises Licence Application

Good morning Marie,

Having spoken with [redacted] about attending this hearing and given her health conditions, it was decided that if okay, the better option would be for myself to attend on her behalf, which of course I am more than happy to do.

Best wishes,

Appendix I Response

Marie Price

From:
Sent: 29 January 2026 23:57
To: Marie Price
Subject: Re: Licensing Sub Committee Hearing 09/02/2026 - Mama Rumba - Premises Licence Application

Hi Marie,

Thank you for sending this over. I am unable to attend the hearing due to work commitments which I unfortunately cannot rearrange.

Many thanks

Sent from my iPhone



SKELETON ARGUMENT ON BEHALF OF THE APPLICANT

Barbican Restaurants Ltd – “Mama Rumba”
Premises Licence Application (s.17 Licensing Act 2003)

1. Introduction

1.1 This skeleton argument is submitted on behalf of the Applicant, **Barbican Restaurants Ltd**, in support of its application for a premises licence for *Mama Rumba*, 46 Southside Street, The Barbican, Plymouth.

1.2 The Applicant seeks authorisation for regulated entertainment, late-night refreshment and the on-sales of alcohol, together with opening hours as set out in the application and Operating Schedule.

1.3 Four objections have been received from local residents (Appx. F-I). No responsible authorities have objected and both **Devon & Cornwall Police** and **Environmental Health** have agreed conditions considered sufficient to meet the licensing objectives.

2. Legal Framework

2.1 The Committee must determine the application with a view to promoting the four licensing objectives:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

2.2 The Committee must also have regard to the **s.182 Guidance (Nov 2025)** and the **Council’s Licensing Policy**, including the Cumulative Impact Policy.

2.3 The Committee must **grant the licence** unless it is satisfied that modifications or refusal are *appropriate* for the promotion of the licensing objectives.

3. Overview of Resident Objections

3.1 The objections rely on concerns regarding:

- Noise from patrons arriving/leaving
- Misuse of the shared courtyard
- Anti-social behaviour / crime and disorder
- Late-night disturbance
- Impact of recorded/live music
- Protection of children from harm

3.2 A recurring theme across the representations is the assumption that the premises will operate as a **public house or late-night drinking establishment**, attracting large numbers of people and high levels of intoxication.

3.3 These concerns are based on a **mistaken characterisation** of the nature of the proposed business.

4. Nature of the Proposed Operation (Correcting Misconceptions)

4.1 Mama Rumba is to be operated as a **high-quality, food-led restaurant**, not a pub, cocktail bar or vertical-drinking venue.

4.2 Admission will be **controlled and selective**, with the Applicant expressly reserving the right to refuse entry. The venue will operate primarily by **table service** in a seated environment.

4.3 The business model depends on:

- Pre-booked dining
- Small, manageable customer numbers
- A calm, high-end dining atmosphere
- A focus on Latin-fusion cuisine, not alcohol-led sales

4.4 This operational model is fundamentally incompatible with – and therefore **cannot generate** – the type of problems feared by residents, such as crowds of intoxicated persons, live-music nightclub atmospheres, or late-night drinking culture.

5. Weight to Be Given to Responsible Authority Positions

5.1 The Committee is entitled to give significant weight to the fact that:

- **Police have raised no objection**, having agreed detailed conditions covering CCTV, door security, training, Challenge 25, ID recording, incident logs and other safeguards (Appendix D).
- **Environmental Health have raised no objection**, subject to agreed conditions including total sound containment after 23:00 and smoking management (Appendix E).
- **No other responsible authority** (Public Health, Fire, Trading Standards, Planning, Safeguarding, HSE) has raised concerns.

5.2 Where responsible authorities are satisfied that the licensing objectives are upheld, it is strong evidence that the application is suitably controlled.

6. Addressing the Specific Licensing Objectives

6.1 Prevention of Crime and Disorder

- The premises is food-led with controlled admission.
- Door staff, CCTV and Challenge 25 are all mandated and agreed with Police.
- Incident logs, refusal logs and staff training are in place.

Conclusion: The premises will not materially increase crime or disorder.

6.2 Public Safety

- CCTV coverage, first-aid-trained staff, emergency exit configuration and appropriate capacity controls are agreed with authorities.
- No responsible authority considers public safety to be compromised.

Conclusion: Public safety is fully addressed.

6.3 Prevention of Public Nuisance

The objections rely heavily on fears of noise and disturbance.

The following points rebut those concerns:

- The premises is a **restaurant**, not a pub or bar.

- Patrons remain **seated while dining**, reducing movement, noise and congregation.
- There is **no provision for outdoor drinking** and no use of the courtyard for smoking or socialising.
- Environmental Health conditions require **total sound containment 23:00–08:00**.
- The Applicant will manage arrivals and departures to avoid late-night disturbance.
- Alcohol service is ancillary to food and is not intended to create late-night drinking culture.

Conclusion: Any impact on the locality will be limited and controlled.

6.4 Protection of Children from Harm

- Children will not be permitted after a certain time unless dining with adults.
- Challenge 25, CCTV and door security provide further protection.
- The restaurant environment is family-friendly and not alcohol-driven.

Conclusion: The objective is fully met.

7. Cumulative Impact Policy

7.1 The premises lies within a Cumulative Impact Area (“CIA”). However:

- For CIP to engage, an objection must rely on evidence used to justify the original policy – none of the objections do so.
- The Police – ordinarily the primary source of CIP concerns – **do not object**.
- As a **food-led, controlled-entry restaurant**, the premises is precisely the type of operation the Guidance recognises as *unlikely to add to cumulative impact*.

7.2 The Applicant's Operating Schedule demonstrates that the premises will **not negatively add** to cumulative impact and may in fact contribute positively by:

- Increasing the proportion of food-led venues,
- Reducing reliance on alcohol-heavy businesses in the area.

8. Proportionality

8.1 The Committee cannot refuse or modify the application merely because residents express opposition. It must be satisfied that modification or refusal is **appropriate** for promoting licensing objectives – a high bar.

8.2 The fears expressed by residents are:

- **Speculative,**
- Based on experience of other bars or historical use of the courtyard, and
- Not grounded in the actual, proposed mode of operation.

8.3 Given that all responsible authorities are satisfied, refusal or significant modification would be **disproportionate and legally unsafe**.

9. Conclusion

9.1 The Applicant has demonstrated that:

- The premises will operate as a **high-class restaurant**, not a public house.
- Admission is controlled and the environment will be calm, seated and food-led.
- All responsible authorities are satisfied that the licensing objectives are upheld.
- The residents' objections are based on **misconceptions** about the nature of the business and fears of issues that will not materialise.

9.2 For these reasons, the Committee is respectfully invited to:

Grant the premises licence as applied for, subject to the agreed conditions.



Anthony Dyke

CWC Solicitors

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Applicant's rebuttal submissions – Residents' Individual Objections

(References to Appendices are those contained in the Report Filed with the Committee)

The following specific submissions will be made for the Applicant concerning the specific resident objections made and specified in the Report:

Appendix F – Objection

Resident Objection 1: Noise Concerns

Objection: The premises will generate unacceptable late-night noise from customers leaving the venue.

Rebuttal: The premises is a **high-class, food-led restaurant**, not a bar or public house. Dining customers arrive and depart gradually, not en masse. The Applicant will implement a **quiet dispersal policy**, and recorded/ live music is subject to **full sound containment after 23:00** in accordance with Environmental Health conditions.

Resident Objection 2: Smoking in Courtyard

Objection: Concern that customers will smoke in the internal courtyard, causing nuisance.

Rebuttal: Environmental Health have agreed clear conditions regulating smoking, and the courtyard will **not be used as a social space**. Any smoking will be controlled, supervised and restricted to designated areas only.

Resident Objection 3: Alcohol-Related Anti-Social Behaviour

Objection: Fears of drunk patrons causing disorder in the area.

Rebuttal: A restaurant environment with predominantly **seated, pre-booked diners** is not conducive to intoxicated behaviour. Police have agreed conditions including **CCTV, Challenge 25, staff training and incident logs**, confirming they foresee *no risk* of disorder.

Appendix G – Objection

Resident Objection 4: Late Opening Hours

Objection: The proposed hours are excessive and will disturb residents.

Rebuttal: The hours requested reflect those commonly granted to **restaurants** across The Barbican. The venue is not alcohol-led and will primarily serve **dining clientele**. Environmental Health raise **no objection**, indicating the schedule is compatible with residential amenity.

Resident Objection 5: Misunderstanding of Premises Type

Objection: Concern that Mama Rumba will become a bar similar to existing drinking venues.

Rebuttal: The business model is for a **premium Latin-fusion restaurant** with controlled entry, full table service and no vertical drinking. This directly contradicts the assumptions underlying the objection.

Appendix H – Objection

Resident Objection 6: Live Music Noise

Objection: Live music will be intrusive and disruptive.

Rebuttal: Live music is limited, background in nature, and subject to Environmental Health requirements for **sound containment**. There will be **no nightclub-style amplified performances**.

Resident Objection 7: Congregation Outside the Premises

Objection: Patrons will gather outside smoking or talking late at night.

Rebuttal: The restaurant model does not attract late-night loitering. The Applicant will enforce controlled entry, monitored smoking arrangements and a strict dispersal policy. The courtyard will not be an external drinking/smoking area.

Appendix I – Objection

Resident Objection 8: Cumulative Impact

Objection: Granting the licence will add to cumulative impact in the area.

Rebuttal: The Cumulative Impact Policy applies primarily to **alcohol-led** venues. A food-led, reservation-only restaurant is specifically recognised in statutory guidance as *unlikely* to add to cumulative impact. **Police have not objected**, the key indicator for cumulative impact.

Resident Objection 9: Potential for Music-Related Nuisance

Objection: Music nights will cause disturbance beyond acceptable levels.

Rebuttal: All music is indoors, controlled and regulated. Environmental Health required **acoustic controls and total sound containment after 23:00**, which the Applicant fully accepts.

Overall Conclusion

The residents' objections are largely based on **incorrect assumptions** that the premises will operate as a bar or late-night drinking venue. In reality, Mama Rumba is a **controlled, high-end restaurant** whose business model directly avoids the risks cited.

Every responsible authority has confirmed that, with agreed conditions, the operation **fully promotes the licensing objectives**. Therefore, the objections should attract limited weight, and the licence should be granted as applied for.



Anthony Dyke

CWC Solicitors

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