

DECISION NOTICE - LICENSING ACT 2003 SUB-COMMITTEE

REVIEW HEARING - ZAIKA (PREVIOUSLY KNOWN AS SHALIMAR GARDENS), 34 NEW ROAD, PETERBOROUGH, PE1 1FH

26 MARCH 2013

We have considered the representations made by Cambridgeshire Constabulary (the Responsible Authority and Applicants for the review).

We have considered the representations made by the Responsible Authorities concerning all four of the licensing objectives, namely:

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

The representations from the police were mainly related to four section 19 notices served on 3 August, 1 September of last year, and 27 January and 1 March this year, and public disorder on New Year's Day.

These notices were issued for various breaches of the Act and for breaches of the operating conditions. For example, conducting a licensable activity:

- Without a Designated Premises Supervisor;
- Having no fully functioning CCTV,
- Operating without a personal licence holder being present; and
- Having no SIA registered door staff contrary to the licence conditions.

The Pollution Control Team was concerned with noise nuisance emanating from the premises.

Representations from the Licensing Authority were also concerned with the running of the business. We are concerned with the public safety objective in respect of these premises.

We have considered the submissions made on behalf of the Premises Licence Holder. We accept that some of these concerns and issues have been addressed. However, we believe that these premises are not being managed properly and responsibly.

Furthermore, we do not consider that the mediated conditions are appropriate in promoting the licensing objectives nor do we believe that we can attach conditions that would promote the licensing objectives given the level of disregard shown for the Licensing Act.

In our deliberations we considered the various options available:

- Suspension of the licence;
- Revocation of the licence;
- Further amended conditions.

The decision of this Licensing Act 2003 Sub-Committee is therefore to :

Revoke this premises licence in its entirety.

The decision is suspended for 21 days to allow for appeal.

Dated.....2013

Signed.....(Councillor Thacker)

Sub-Committee Chairman